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From the natural to the civil state : the evolutionary process as viewed by Thomas Hobbes, John Locke and Jean Jacques Rousseau

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FROM THE NATURAL TO THE CIVIL
STATE: THE EVOLUTIONARY PROCESS
AS VIEWED BY THOMAS HOBBS, JOHN LOCKE
AND JEAN JACQUES ROUSSEAU

BY

SUE SLATE DONALDSON

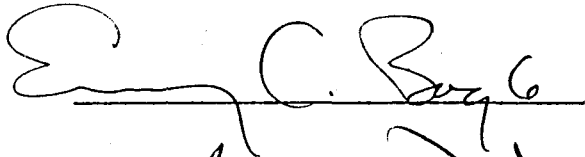
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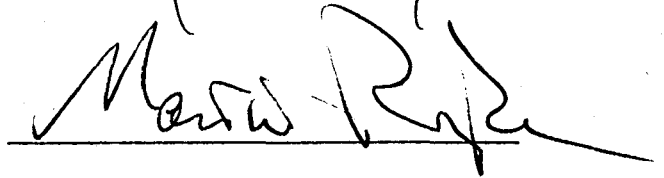
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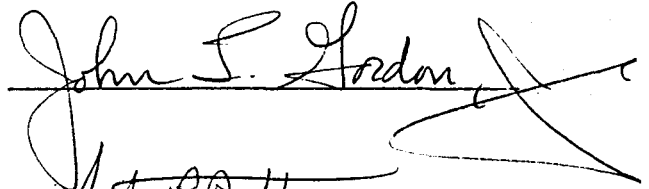
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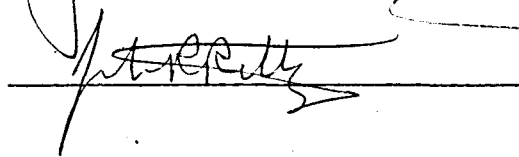


TABLE OF CONTENTS

<u>Chapter</u>	<u>Page</u>
Introduction	1
Thomas Hobbes	9
John Locke	37
Jean Jacques Rousseau	65
Conclusion	107
Bibliography	
Primary	113
Secondary	114

INTRODUCTION

Start

The social contract theory was used extensively in the late seventeenth and early eighteenth centuries by political philosophers to popularize the belief that governments were obligated to the people. This theory maintained that the people had originally formed governments, had set their limits and were allowing them to continue to operate. Governments owed their existence not to God and not to kings, but to the people. The social contract theorists tried to explain how political obligations were formed by men in a prepolitical state.¹ In order to do this, they first had to describe this pre-political state and demonstrate how it would lead to a social contract. Therefore, they invented the "state of nature", i.e., man's existence prior to civil or social laws. The state of nature described man as he would naturally appear on earth before formation of society. Man's true nature with no external input could only be viewed in the state of nature.

The theorists were not only attempting to describe the state of nature and man's formation of government, but were also encouraging governmental reform. If the social contract had been used previously to move man from the undesirable state of nature ↓

1. Claude E. Ake, "Social Contract Theory and The Problem of Politicization: The Case of Hobbes," Western Political Quarterly 23 (September 1970): 463.

into civil society it could be used again to move man from an undersirable government to an ideal state.² *end gotop J B*

The most prominent of the social contract theorists were Thomas Hobbes, John Locke and Jean Jacques Rousseau. All three theorized about man in the state of nature, the forces that led natural man to form a social contract and the government that should be formed as a result of such a contract. The three men have been the subjects of much previous study. Their philosophies have been analyzed and placed in historical perspective. But much of this previous work has focused on each man individually and little effort has been made to compare the three. There has also been a limited amount of work done on the successes and failures of the social contract school. The work that has been done has often not been an open analysis but a prejudicial view on the part of a historian who wished to support a previous position. It is necessary to examine the points of agreement and disagreement among the most prominent theorists in order to focus and pass judgement on the entire social contract theory.

Although they differed on many points, Hobbes, Locke and Rousseau agreed on some basic principles. They believed that society was artificial since man created it and therefore could be changed. This meant that humans had the power to regulate their own affairs; they were doing this when they set up the social contract. Because the contract had already enabled man

2. Michael Levin, "Uses of the Social Contract Method: Vaughan's Interpretation of Rousseau," Journal of the History of Ideas 28 (October 1967): 528.

to move from a natural to a civilized existence it also left him free to change again if needed. The contract set a moral basis for obligation because by the terms of the contract the government was obligated to the people; but the people were also obligated to the government.³

Hobbes, Locke and Rousseau agreed on these basic points and on the major goal to make their contemporaries accept people as the originators of government. But each also had his own unique reasons for utilizing the social contract and each had his own points to make.

The social contract was not an original idea with these men. They greatly expanded and popularized the concept, but earlier writers had used the idea of agreement among men and the belief that man once existed in a natural state. In order, however, to trace the development of the social contract theory, it is necessary first to consider theories concerning natural rights, since the theories of men existing in natural states grew from the belief in natural rights and laws.

The Greeks are the earliest to find a basis for moral laws and justice in nature. Antigone, who broke the civil law by performing a funeral for her brother, answered her accusers by

3. Ibid., p. 530.

saying:

It was not Zeus who heralded these words,
 Nor Justice, help-meet of the Gods below,
 'Twas they who ratified those other laws,
 And set their record in the human heart.
 Nor did I deem thy heraldings so mighty,
 That thou, a mortal man, could'st trample on
 The unwritten and unchanging laws of heaven,
 They are not of to-day or yesterday;
 But ever live, and no one knows their birth-tides.⁴

This expressed one belief held by the Greeks about nature. The law of justice and right had come from nature and as a result the world was basically orderly, intelligent and beneficent.

The Epicureans expressed a second belief about nature. Nature was not moral and did not bestow morality to man or society. The Epicureans believed that there were no intrinsic moral virtues or values except the striving for happiness. Since all men wanted to seek their own good above all else, they often brought harm to others. In this way, man's selfish desires for his own good jeopardized the rest of mankind. A general agreement not to inflict harm on others was the only thing that kept order.⁵ In this way the Epicureans were direct forefathers of the social contract theorists. Men had discovered and agreed on certain principles by which to live.

The Stoics did not agree with the Epicureans. There did exist natural laws and moral good. Justice for all people was

4. John William Donaldson, The Antigone of Sophocles (London: John W. Parker, 1848); p.45.

5. George H. Sabine, A History of Political Theory, 3d ed. (New York: Holt, Rinehart and Winston, 1961) p.133.

the most intrinsic good in the world and in order to ensure justice the political authority had to come from the people.⁶ The people could be the political authority because justice was a part of their nature, not externally administered, but an intrinsic value. The social contract theorists also owed a debt to the Stoics; they spread the belief that people should control the political institutions, and more importantly, they passed on the belief that people lived according to their nature.

The Bible also provided the social contract theorists with ideas. The Garden of Eden placed early man in a "state of nature" and even provided a way for him to move from a primitive state to a civilized state. The Old Testament also has numerous references to covenants that existed between Jehovah and individuals and between Jehovah and his chosen people.⁷

It was not until the Middle Ages, however, that we find historical examples of agreements or contracts existing between kings and their subjects. There are memorable examples of kings who were forced to recognize certain rights of their subjects as with John and his signing of the Magna Carta.⁸ But in fact, feudal law required that kings or lords uphold the rights of their subjects and vassals. This acted as precedent for the later theorists who believed that the rulers of governments owed

6. New Catholic Encyclopedia, 1967 ed., s.v. "Social Contract" by A. J. Beitzinger.

7. Genesis 2:8-16, 3:6-23. Exodus 31:16. Numbers 18:19.

8. International Encyclopedia of the Social Sciences, 1968 ed., s.v. "Social Contract", by Will Moore Kendall.

obligations to the people.

Toward the end of the Middle Ages, some philosophers began to question the origin of society. Salmonias and Jean Marianna of Spain and George Buchanan of Scotland specifically believed that a prepolitical state of affairs existed before society and that people had originally come to some sort of agreement about their society. These three differed from Hobbes, Locke and Rousseau in believing the political state to be more natural than the prepolitical state.⁹

The person who had the most influence upon the social contract theorists, however, was Machiavelli. He, like the Epicureans, did not believe in the existence of any natural or divine law. Because there was no natural law, natural man was not social or political by nature. Man and society did not come into existence simultaneously. Society was built by man because of his fear and man continued to participate in it out of his habit and self-interest. In the absence of natural laws and intrinsic morality, Machiavelli said that political philosophy should not be concerned with utopias, but should view men as they are and try to build actual societies that meet men's needs.¹⁰ This is exactly what Hobbes, Locke, and Rousseau did. They first assessed man's character as they believed it to be, by viewing man in the state of nature, and then they developed societies based on a social contract, that would meet the needs of men.

9. Ibid.

10. Ibid., p. 376.

Although Machiavelli did not actually speak of contracts between men, he paved the way for them by openly denying natural moral values and God-given laws, therefore freeing future political philosophers from having to explain the political actions of men by the actions of God. Governments could be formed without having to consider God.

Hobbes, Locke and Rousseau built their philosophies by combining the ideas of others. Much of their work expounded their own philosophy less than it refuted others. They succeeded in organizing old ideas into a novel approach to politics. Men were not social animals as some of the Greeks had said, they were asocial in their first existence. Man, however, had more capabilities than his fellow creatures and as men began to interact they gradually became social. As the interaction increased so did dissension and violence. Man agreed, out of a need for security as well as a new desire for more highly structured society, to organize a society and a government that would enforce society's rules. The government was obligated to give the people what they needed, and in turn the people were obligated to support the government.

In order to make the social contract an acceptable theory, there were four challenges Hobbes, Locke and Rousseau had to meet. They had to present a viable picture of pre-social man. They had to demonstrate a force which would move a pre-social or natural man to choose a society as the means to protect himself. They had to explain why the people making the contract

would keep their promises. And lastly, they had to show why people born since the contract continued to consent to it.¹¹

Hobbes, Locke and Rousseau all tried to answer the challenges and although they were in basic agreement, they each handled them in different ways. ^{This paper will Rousseau's} It remains for us to examine each of the ~~three men and their theories~~ individually and then to pass judgment on the success of the social contract school collectively.

go to pg 65

11. Ibid., p. 377.

THOMAS HOBBS

Thomas Hobbes was described by his contemporaries as a man of "mostly cheerful and pleasant humour",¹ which, if accurate, were traits he surely needed. For Hobbes has been constantly assailed since his Leviathan was published in 1651. There are few men who have the "honor" of being condemned from all political sides. Hobbes holds such an honor. In his own day, he was attacked by Royalists and Cromwellians,² Bishops and mathematicians.³ He has been contradicted by fellow philosophers whose names have been linked with his: Locke and Rousseau. The Enlightenment brought on new criticism by Montesquieu⁴ and Jurieu.⁵ Even in modern times he has been roundly attacked; for

1. John Aubrey, 'Brief Lives' Chiefly of Contemporaries, set down by John Aubrey, between the years 1669 and 1696, ed. Andrew Clark (Oxford: At the Clarendon Press, 1898), p. 348.

2. Frederick Copleston, A History of Philosophy, Vol. 5: Hobbes to Hume, (Westminster and Maryland: The Newman Press, 1961), p. 2. Sabine, History of Theory, p. 456.

3. Thomas Hobbes, Leviathan, ed. A. D. Lindsay (London: John M. Dent and Sons, Ltd., 1914), p. x.

4. Kingsley Martin, French Liberal Thought in the Eighteenth Century, ed. J. P. Mayer (New York: Harper Torchbooks, 1963), p. 155.

5. *Ibid.*, pp. 33-34.

being unhistorical,⁶ amoral,⁷ totalitarian,⁸ an upholder of bourgeois capitalism,⁹ and wrong.¹⁰ All of this criticism would have been difficult to accept for a man, who by his own admission, was timid.

Hobbes was born on April 5, 1588 at Westport, England. His mother's fright over the approach of the Spanish Armada caused Hobbes to be born prematurely, allowing him to say "she brought forth twins, myself and fear".¹¹ His father was a near illiterate clergyman who deserted his family when Hobbes was young. Assisted by an uncle, Hobbes went to school in Westport and Malmesbury where he showed an early aptitude for classical languages. He was sent on to Magdalen Hall, Oxford, where although not an enthusiastic student he received his B.A. in 1608.¹²

6. The Leviathan is "an isolated phenomenon in English thought, without ancestry or posterity; crude, academic, and wrong." H. R. Trevor-Roper, "Books in General," The New Statesman and Nation 30 (N.S.) (July 28, 1945): 61.

7. Eugene J. Roesch, The Totalitarian Threat: The Fruition of Modern Individualism as seen in Hobbes and Rousseau (New York: Philosophical Library, 1963), p. 9.

8. Ibid., p. 78.

9. Leo Strauss, The Political Philosophy of Hobbes: Its Basis and Its Genesis (Chicago: The University of Chicago Press, 1952), pp. 125-126.

10. "He offers us a theory of man's nature which is at once consistent, fascinating, and outrageously false". Thomas Hobbes, Leviathan, ed. W. G. Pogson Smith (Oxford: At the Clarendon Press, 1909), p. ix.

11. Aubrey, Brief Lives, p. 390.

12. Stanley J. Kunitz and Howard Haycraft eds., British Authors Before 1800: A Biographical Dictionary (New York: The H. W. Wilson Company, 1952), p. 270.

After Oxford, he became tutor to Lord Cavendish's son and traveled with him to France and Italy. Upon returning to England, he continued his classical education by translating Thucydides into English. He also wrote some poetry and became friends with Francis Bacon, taking notes for him while walking through gardens.¹³ Hobbes has been described at forty years of age as being "ingenious but infertile, a witty conversationalist and pleasant companion for his aristocratic friends, before he reached that intellectual crisis, which to most men occurs, if at all, at least ten years earlier".¹⁴

In 1629, Hobbes again left for France, this time on a more significant trip; for it was while he was in Paris as tutor to the son of Sir Gervase Clifton that he became interested in mathematics and science, after seeing a copy of Euclid's Elements laid open in a gentleman's library. He glanced down, and as he read the 47th Proposition, he said "By God, this is impossible"; which caused him to turn back to read the demonstration of it; which referred him to yet another demonstration, etc. This was the beginning of his infatuation with science and his condemnation of the classics.¹⁵

After his scientific and mathematical awakening, Hobbes thought history was no better than prophecy, because both were

13. Aubrey, Brief Lives, p. 331.

14. Trevor - Roper, "Books in General," p. 61.

15. Hobbes, Leviathan, ed. Lindsay, pp. vii - viii.

grounded only on experience. He has been accused of despising the evidence of the past.¹⁶ He repudiated his classical background and criticised the Socratic traditions and Aristotle's Metaphysics and Politics. Hobbes was especially opposed to the use his contemporaries made of classical history.

And as to rebellion in particular against Monarchy; one of the most frequent causes of it, is the reading of the books of policy, and histories of the ancient Greeks, and Romans; from which, young men, and all others that are unprovided of the antidote of solid reason, receiving a strong, and delightfull impression, of the great exploits of warre, atchieved by the conductors of their armies, receive with all a pleasing idea, of all they have done besides; and imagine their great prosperity, not to have proceeded from the aemulation of particular men, but from the vertue of their popular forme of government; Not considering the frequent seditions, and civill warres, produced by the imperfection of their policy. From the reading, I say, of such books, men have undertaken to kill their Kings, because the Greek and Latine writers, in their books, and discourses of policy, make it lawfull, and laudable, for any man so to do; provided before he do it, he call him tyrant.¹⁷

Hobbes claimed to have no use at all for the classical traditions and maintained that logic was the only intellectual method that he allowed.¹⁸ He went so far as to say that his own contemplation was much more than his reading of someone else, for if he had read as much as other men, he would have known no more than other men.¹⁹ But he could not entirely eradicate the ancient forces on his philosophy. He followed along the lines

16. Trevor - Roper, "Books in General," p. 61.

17. Hobbes, Leviathan, ed. Lindsay, p. 174.

18. Trevor - Roper, "Books in General," p. 61.

19. Aubrey, Brief Lives, p. 349.

of the Epicurean tradition because he believed that man was asocial and apolitical, and that man's natural desires were neither moral nor immoral. He disagreed with the Epicureans that some of man's natural desires were unnecessary and could therefore be controlled by an ascetic life. He saw no reason for restrictions of sensual pleasures.²⁰ But Hobbes would not have called his philosophy Epicurean - rather, he would have said that it was scientific.

It was during this period in his life, shortly after he "discovered" geometry and science and while he was conversing with Galileo and Mersenne and corresponding with Descartes, that he formulated his "scientific" philosophy,²¹ that man is merely matter in motion. This mechanistic picture of man excluded God as an important part of philosophy, for man moves in space like atoms, randomly bumping into each other. Each collision represents strife and conflict. The task, then, is for man to find some means to slow the collisions and thereby postpone the final quiescence.²²

Because of this aspect of his philosophy Hobbes has been accused of being an atheist. His vehement attack against the Catholic church and priests, in general, in The Leviathan's "The

20. Leo Strauss, Natural Right and History (Chicago and London: University of Chicago Press, 1953), p. 189.

21. Copleston, History of Philosophy, pp. 1-2.

22. Ibid., p. 5. Richard T. Vann ed., Century of Genius: European Thought 1600-1700 (Englewood Cliffs, New Jersey: Prentice - Hall, Inc., 1967), p. 93.

Kingdoms of Darknesse" provided fuel to his attackers. Hobbes never said that he held no belief in God. He did say that if God did exist and set up natural laws, no man could ever hope to understand them and therefore, the question was moot.²³ But he was considered an atheist, and when Hobbes was seventy-three years old, some of the Bishops in England made a motion to have the old gentleman burned as a heretic.²⁴ Peter Gay stressed the danger that Hobbes constantly faced because of his unpopular beliefs. "A philosopher like Hobbes, whom his contemporaries tirelessly denounced as an atheist and Epicurean, was isolated and disreputable; he was as notorious in his time as it was possible for a philosopher to be and still escape hanging."²⁵

Hobbes wrote his developing philosophy when he returned to England in 1640, and later his The Elements of Law, Natural and Politic appeared in print. It was written as a response to the problems which had caused the summons of the Short Parliament. Hobbes stressed that the natural and political laws and the power to enforce rested solely in the king as sovereign.²⁶

23. Richard Ashcraft, "Locke's State of Nature: Historical Fact or Moral Fiction?," The American Political Science Review 62 (September 1968): 902-903.

24. Hobbes, Leviathan, ed. Lindsay, p. x.

25. Peter Gay, The Enlightenment: An Interpretation (New York: Vintage Books, 1968), p. 314.

26. Hobbes, Leviathan, ed. Lindsay, p. viii.

Many copies of Hobbes's work were spread throughout England, which brought him notoriety and a reputation for being a royalist. When Cromwell became the head of the government, Hobbes took refuge in France, where he remained for eleven years.²⁷ While he was in Paris he wrote the first elaboration of his earlier political pamphlet, and entitled it DeCive. And while he "walked much and contemplated,... he had in the head of his cane a pen and inkhorn, carried always a notebook in his pocket, and as soon as a thought darted, he presently entered it into his booke...."²⁸ Thus, "one of the most celebrated political treatises in European literature",²⁹ The Leviathan, was written.

He was a tutor to the young Prince of Wales (later Charles II), who was exiled in Paris, when the book was published in London. Although Hobbes's views had been consistent since he had written the earlier pro-royalist pamphlet, he was not accepted into the royalist circle in Paris. The Leviathan, published in 1651, called for obedience to whatever government happened to be in power at the moment and Cromwell was the sovereign in England. Although never popular among royalists

27. Copleston, History of Philosophy, p. 2.

28. Aubrey, Brief Lives, p. 334.

29. Copleston, History of Philosophy, p. 1.

in Paris, Hobbes became an outcast.

All honest men here are very glad that the king has at length banished from his court that father of atheists, Mr. Hobbes, who, it is said, hath rendered all the queen's court and very many of the Duke of York's family atheists, and if he had been suffered, would have done his best to have likewise poisoned the King's court.³⁰

Hobbes fled once again, this time back home where he made his peace with the Commonwealth and lived the rest of his life with the Cavendish family.

It has been claimed that Hobbes's mind was stirred to write The Leviathan by "grief for the present calamities of my country; a country torn between those who claimed too much for liberty and those who claimed too much for authority, a country given over into the hands of ambitious men who enlisted the envy and restment of a 'giddy people' for the advancement of their ambitions."³¹ Whether Hobbes actually ever voiced this or not, he was filling a void left by the emergence of the new nation state.

Aristotle's theory of natural kinds and natural places treated man as a social animal and described his place in the order of things. Later, this was easily applied to the Catholic Church which became the new authority for man. As feudal societies grew and strengthened, man could clearly see his place in the order of things. But the foundations for this stable society had seriously decayed by the mid seventeenth century.

30. This was quoted by an unidentified royalist in Paris at the time. Hobbes, Leviathan, ed. Lindsay, p. ix.

31. Thomas Hobbes, Leviathan, ed. Michael Oakeshott (Oxford: Basil Blackwall, 1946), p. xi.

Men no longer lived by feudal laws; the Reformation loosened the ties of the Catholic Church, and the rise of commerce had practically ended the control of the guilds and local communities. Social mobility meant that the old restrictions were gone - individualism was on the rise.³²

Yet, with this new situation, and all traditional restraints gone, - man was left with unprecedented freedom. He could read the Bible and interpret for himself; he didn't need a priest. He could find his own job and make his own money; he didn't need a lord. Something had to be done to keep the atoms from bumping into each other, something new was needed to stop the collision course that the new "individuals" were taking. Hobbes substituted new chains - the new chains of the executive of the new emerging nation state for the old traditional chains of king and Pope.³³

Hobbes began The Leviathan by discussing man in what has come to be known as his state of nature, although he did not believe that the state of nature ever actually existed.³⁴ When he wrote of man in the state of nature, he was employing an exercise to analyze the nature of man, not describing a historical event. If the state of nature could be used as a tool to understand man's character, then a government could be instituted to fit that character. Man's ability to understand

32. The Encyclopedia of Philosophy, 1967 ed., s.v. "Hobbes, Thomas," by R. S. Peters. Roesch, Totalitarian Threat, p. xvi.

33. Peters, "Thomas Hobbes", p. 41.

34. Hobbes, Leviathan, ed. Lindsay, pp. xxi, 65. Strauss, Political Philosophy of Hobbes, pp. 102-103.

his own desire for power and self-preservation was far more important than any historical knowledge he may have about early man. For Hobbes, then, psychology rather than history was the basis of political science.³⁵

Hobbes who was born a twin of fear, had twice become a fugitive because of fear. And while Hobbes used logic in The Leviathan, his conclusion was despotism based on his axiom of fear.

It is interesting that his contemporaries believed (perhaps on the evidence of his writings) that he was afraid to be alone in the dark; and though his friends denied this, the vividness and frequency of his allusions to supernatural fears suggest that he may not always have been exempt from them. The man who described Brutus, haunted by the ghost of Caesar - "For sitting in his tent, pensive and troubled with the horror of his rash act, it was not hard for him slumbering in the cold, to dream of that which most affrighted him", and who, in a series of contemptuous paragraphs, likened the whole apparatus of the Roman Church to the imaginary world of spooks and hobgoblins, at least knew some sympathy with the emotions he disclaimed.³⁶

But it was neither ghosts nor the dark that Hobbes said caused men to fear. In the state of nature, as well as in the civil state, man's greatest fear, in fact, the root of all man's fear, was of his own death. Hobbes gave man an aim for life only through his death. Natural man had viewed and understood the horror of death, but he was too primitive to know the joys of

35. Vann, Century of Genius, p. 93. Strauss, Political Philosophy of Hobbes, p. 103.

36. Trevor - Roper, "Books in General", p. 61

life. Man's goal, then, was negative - avoid death rather than preserve life.³⁷

Since men feared death in the state of nature, they constantly tried to defend themselves. But by defending themselves, they were placed at odds with everyone, constantly guarding against some act of violence against their person. Each man hoped to attain a reputation for power so that his fellow men would give him honor and dignity. But out of this struggle (each man desiring honor and dignity) came the envy and hatred that caused war.³⁸ "Hereby it is manifest, that during the time men live without a common power to keep them in awe, they are in that condition which is called warre; and such a warre, as is of every man, against every man. For Warre, consisteth not in Battell onely, or the act of fighting; but in a tract of time, wherein the will to contend by Battell is sufficiently known."³⁹ Hobbes, therefore, believed that the natural state of man was one of constant war. Although constantly in a state of insecurity man's goal was to be secure.⁴⁰

Man, in the state of nature, had complete liberty, which was defined by Hobbes to mean the power each man had to preserve his own life. This was his Natural Right, the right to choose to do anything that would preserve his own life. There was no

37. Strauss, Political Philosophy of Hobbes, p. 16

38. Hobbes, Leviathan ed. Lindsay, p. 88.

39. *Ibid.*, p. 64.

40. *Ibid.*

morality, no good or bad choices; the question was merely: "Does this act aid me in preserving my life?", and if the answer was "yes", then the act was justifiable.⁴¹

Hobbes's assertion that mankind was basically composed of egotistic individuals who were totally dedicated to self-love and self-interest has been roundly criticised. "The peculiarity of Hobbes is not that he asserted man's natural selfishness - for moralists have been busy asserting and denouncing it for centuries - but that he denied his essential wickedness".⁴²

But to Hobbes, men were not wicked in the state of nature. To say that was an anachronism. There could be no wickedness, since no morality existed - no justice or injustice - no truth or lies. Hobbes believed with Machiavelli, that truth was to be made, not sought.⁴³ If there were no rules in the state of nature, the criticism has been raised:

What is the deliverance? Spinoza found it in philosophy; the truth shall make you free: but Hobbes was a philosopher who had no faith in truth. Pascal found it in the following of Christ; but I doubt whether religion ever meant much more than an engine of political order to Hobbes. Rousseau, whose survey of human nature often strangely and suspiciously resembles that of Hobbes, advocated - in some moods at least - a return to nature. Rousseau's 'nature' was a pig-sty, but Hobbes's state of nature was something far worse than that.⁴⁴

Hobbes could have answered his critics by saying that there were

41. Ibid., pp. 66, xx.

42. John Plamenatz, Man and Society 1st vol. (London: Longman's, 1963), p. 120.

43. Hobbes, Leviathan ed. Pogson-Smith, p. xii.

44. Ibid., pp. x-xi.

rules in the state of nature - the laws of nature. The laws of nature, discovered through reason, aided man in preserving his right to life.⁴⁵ But where in this constant state of war did reason come from?

Hobbes said the ability to speak begot reason. Speech separated man from beast because through his use of speech, man learned to reason. Man learned to reason because reason was not natural; man self-willed it.⁴⁶ Those who criticize Hobbes because he debased mankind are wrong. Hobbes held man in great esteem for having made a life, a good life, for himself. He had pulled himself up from the rest of the animals, without help from God, without innate laws and even without science; he owed his position in life to no one or no thing.

Man also had desires or passions which placed him in a state of war. But at the same time his fear of death made him desire peace. Passions caused both war and desire for peace. When man had the desire for peace, reason showed him how to have peace through agreement. The agreement that reason suggested constituted the laws of nature.⁴⁷

The first law of nature, according to Hobbes, stated:

That every man, ought to endeavor Peace, as farre as he has hope of obtaining it; and when he cannot obtain it, that he may seek, and use, all helps and advantages of warre.

45. Hobbes, Leviathan ed. Lindsay, p. 66.

46. Hobbes, Leviathan ed. Pogson - Smith p. xx. Richard Ashcraft, "Hobbes's Natural Man: A Study in Ideology Formation," The Journal of Politics 33 (November 1971): 1101.

47. Hobbes, Leviathan ed. Lindsay, pp. 66-67. Copleston, History of Philosophy, p. 34.

The first branch of which rule containeth the first, and fundamentall Law of Nature; which is, to seek peace, and follow it. The second, the summe of the Right of Nature; which is, by all means we can to defend ourselves.⁴⁸

The second law of nature was that man is willing to lay down his rights if other men will also, in order to preserve peace and security.⁴⁹ Man is willing to relinquish some of his lesser rights such as the right to make decisions for himself, if all other men would also agree to give up theirs. Hobbes said a man does not merely abolish his rights, these rights continue to exist. There are only two ways that rights can be given up; the first is by simply renouncing them. When a man renounces his right, he does not care to whom the right goes. But if a man transfers his right, the second way he may give up rights, then he means for them to go to some specific person.⁵⁰ Hobbes defined social contract as the transferral of these rights.

His third law of nature was that men obey and carry out the contracts they make. Hobbes suggested that the contract is carried out in self-interest, since according to the fourth law of nature, by upholding one's end of the contract, one is obligating another to hold up his end, thereby bringing benefit to oneself.⁵¹ Hobbes fifth law of nature was like his fourth: each man tries to accomodate himself to the rest.⁵² This transforms the asocial man into a social man.

48. Hobbes, Leviathan ed. Lindsay, p. 67.

49. Ibid.

50. Ibid.

51. Ibid., pp. 74, 78.

52. Ibid.

The rest of Hobbes's laws of nature, like the fourth and fifth, dealt with man's actions towards his fellow man. Men ought to pardon past offenses of those who deserve it. Men should not punish evil on the basis of the extent of the past evil, but on the extent of the goodness to come in the future. No man should declare hatred or contempt for another man and every man should accept other men as his equal. In order to maintain equality, no man can reserve any right for himself that he is not willing to reserve for everyone else.⁵³

If a man has been chosen as a judge between two men, he should deal with them equally. If the controversy is over something that can't be divided equally, it should be enjoyed in common. If it cannot be held in common, then it should be decided by lot. And when there is a controversy, the right of judgement should be submitted to an arbitrator and all arbitrators will be allowed safe conduct.⁵⁴

Hobbes's laws of nature are easily confused with his Natural Right. Self preservation Hobbes argued, was the Natural Right of man, and this right was not relinquished when man moved from a state of nature into civil society. This Natural Right was quite different from the laws of nature which man might choose to accept because such acceptance would protect his life in accord with his Natural Right.⁵⁵

53. Ibid., pp. 79-80.

54. Ibid., pp. 80-81.

55. Peters, Encyclopedia, p. 42.

Hobbes has been criticised wrongly by people who did not understand this distinction between his Natural Right and natural laws. It has been said that Hobbes limited Natural Right - that men had to give up some of their Natural Right in order to join a civil society. But this analysis of Hobbesian theory is wrong. Man had only one Natural Right to preserve his own life; and that right was never limited. Right and power however were two separate things. Man could not be denied the right to life, but his power to implement that right could be so limited as to make the right meaningless.⁵⁶

Hobbes has also been incorrectly blamed for defining the state of nature as a moral vacuum for man. But Hobbes obviously meant for natural man to have obligations. Since natural man, through his reason, accepted the laws of nature, and since the laws of nature included the making of contracts with others and obeying these contracts and appointing arbitrators, man did accept rules and obligations prior to civil society.⁵⁷ These rules and obligations were not enough, however, to counteract the cruel and brutish life of the state of nature. Although contracts in the state of nature lessened the likelihood of war and tended to promote peace, they didn't eradicate war.

For the Lawes of Nature...of themselves, without the terrour to cause them to be observed, are contrary to our naturall Passions, that carry us to Partiality, Pride, Revenge, and the like. And covenants, without

56. Hobbes, Leviathan, ed., Oakeshott, p. lix.

57. Howard Warrender, The Political Philosophy of Hobbes: The Theory of Obligation (Oxford: At Clarendon Press, 1957), pp. 5-7, 31-34.

the sword, are but words, and of no strength to secure a man at all. Therefore not-with-standing the Laws of Nature, (which everyone hath then kept, when he has the will to keep them, when he can do it safely,) if there be no Power erected, or not great enough for our security; every man will, and may lawfully rely on his own strength and art, for caution against all other men.⁵⁸

Hobbes feared that unless contracts were enforced by some definite arbitrator, they would at least occasionally be broken. Even an occasional breaking of a contract would again bring insecurity and possible war. A contract was broken when one party failed to live up to its side of the stipulations. But a contract could also be broken when one side merely thought the other side had not upheld its portion. If each party in a state of nature decided for himself whether or not the contract was still valid, there could be no sure contracts.⁵⁹

Therefore, even with the natural laws in the state of nature, man was still insecure, for he was always looking toward the future with dread, afraid that one lone individual might decide to break the contract and re-establish chaos.

As Prometheus (which interpreted is, the Prudent Man) was bound to the hill Caucasus, a place of large prospect, where an eagle, feeding on his liver, devoured in the day as much as was repaired in the night; so that man which looks too far before him, in the care of future time, hath his heart all the day long gnawed on by fear of death, poverty, or other calamity and has no repose, nor pause of this anxiety, but in sleep.⁶⁰

58. Hobbes, Leviathan, ed. Lindsay, p. 87.

59. Warrender, Philosophy of Hobbes, pp. 36-38.

60. Trevor - Roper, "Books in General," p. 61.

Because men feared death above all else and because the state of nature, even with natural laws, was so insecure, men decided to place authority in a

Covenant of every man with every man, in such manner, as if every man should say to every man, "I Authorise and give up my Right of Governing my selfe, to this man, or to this Assembly of men, on this condition that thou give up thy Right to him, and authorise all his Actions in like manner."⁶¹

One Person, of whose Acts a great Multitude, by mutual covenants one with another, have made themselves every one the Author, to the end he may use the strength and means of them all, as he shall think expedient, for their Peace and common Defence.⁶²

This one person was called a sovereign and he was given the power to rule over men by the men themselves. Hobbes stressed this in order to popularize his belief that the government was obligated to the people and to refute divine rights.

The men who actually came together and swore their covenant formed to each other, "the Generation of the great Leviathan, or rather (to speake more reverently) of that Mortall God".⁶³ Their oath having authorized a sovereign to rule over them, the men of this generation removed themselves from the state of nature, and instead, placed themselves in an artificial state of civil society of their own making.⁶⁴ Hobbes said that civil society could be formed in two ways: commonwealth by institution and commonwealth by acquisition. The generation of the great

61. Hobbes, Leviathan, ed. Lindsay, p. 90.

62. Ibid., p. 89.

63. Ibid.

64. Ibid.

Leviathan was a commonwealth by institution. This meant that men agreed among themselves to set up a commonwealth because they feared each other.⁶⁵ The contract was an agreement among the subjects, but not with the sovereign - he was not a party in the contract.⁶⁶

Hobbes's contract theory was confusing on this point, resulting in unfounded criticism. One such criticism has been that Hobbes's contract was not a real contract since all contracts must have a third party as arbitrator.⁶⁷ What this opinion overlooked was that the sovereign was not a party in the contract. The parties of the contract were as numerous as there were subjects, since each subject was a party. The sovereign then was the third party since he was the arbitrator of the contract.

Another question that has been raised about Hobbes's contract was that since the sovereign was not a party in the contract, he must have had no obligations to his subjects who were the parties in the contract. But, in fact, the sovereign did have an obligation to his subjects. His obligation was to provide the one necessity that forced the subjects to agree to a sovereign, the necessity of protecting their lives.⁶⁸ The contract was the moral basis for that obligation.

In order to understand Hobbes's contract and the role of the

65. Ibid., p. 104.

66. Ibid., p. 91.

67. Ibid., p. xviii.

68. Ibid., p. 116.

sovereign in that contract, the sovereign must be thought of as a judge presiding over a hearing concerning a contract. The judge was not a party in the contract; in fact, the judge might not have been a judge when the contract was originally written, just as the sovereign might not have been chosen prior to the agreement of the subjects. The judge's role was to arbitrate between the disputing sides. He could do this in many ways. He could stipulate certain rules or laws that the parties must obey, just as the sovereign could make civil laws that his subjects must obey. The judge could also decide if the contract had been broken by a party, and the sovereign could decide if a civil law had been broken by one of his subjects. The judge had the power to punish the offending party, likewise the sovereign had the power to punish one of his disobedient subjects. But aside from all of this, the judge did have an obligation. He had the job of enforcing the contract. He could do this in any way he saw fit, but he must enforce it. The sovereign could also protect his subjects' lives in whatever way he thought best, but he must protect their lives.

Hobbes's second way that sovereigns were empowered was by commonwealth by acquisition. This occurred when subjects submitted to sovereigns because they feared the sovereign.⁶⁹ In commonwealth by acquisition or by natural force, subjects were either under paternal dominion or despotic dominion.

The discussion of paternal dominion was Hobbes's answer to

69. Ibid., p. 104.

contemporary supporters of divine right absolutism, like Sir Robert Filmer. Filmer and others maintained that kings deserved absolute rule because they were the descendents of Adam. Since God had made a covenant with Adam, making him lord over the beasts and fowl, then Adam's descendants were also lords over the earth.⁷⁰

Hobbes, of course, disagreed with this assessment of the absolutism of kings. Kings were not absolute as a result of a covenant with God, and children did not obey their parents because God ordered them to. According to Hobbes, parents had dominion over their children because they had the power to allow their children to die. But since they chose to protect their children, the children had an obligation to their parents for their lives.⁷¹

Hobbes also refuted Filmer's stress on the necessity for obedience to the father. Hobbes maintained that in the state of nature, there was no marriage and therefore the child belonged not to the father but to the mother. It was she who decided the fate of her child, protected and cared for him; therefore, the child owed obedience to his mother, not the father. Hobbes said the right of dominion over the child belonged to the mother.⁷² So although there did exist paternal dominion, it only affected the actual parent-child relationship and had no significant influence

70. John Locke, Two Treatises of Government ed. Peter Laslett (Cambridge: Cambridge at the University Press, 1970), Chaps. 3 and 4 passim.

71. Hobbes, Leviathan ed. Lindsay, p. 106.

72. *Ibid.*, p. 105.

on political relationships.

Hobbes used the same arguments for despotic dominion that he used for paternal dominion. Hobbes defined despotic rule as "dominion acquired by conquest, or victory in war".⁷³ The vanquished submitted to the victor in order to avoid death and promised to obey him as long as he protected their lives.

It is not therefore the victory, that giveth the right of Dominion over the Vanquished, but his own Covenant. Nor is he obliged because he is conquered; that is to say, beaten, and taken, or put to flight; but because he commeth in, and submitteth to the Victor.⁷⁴

Hobbes, agreeing with Machiavelli, made it quite clear that regardless of whether the commonwealth was created by institution or acquisition, the sovereign power was based on fear. And although the two commonwealths might have been set up originally for different reasons, the rights of the sovereign were not affected; "but the Rights, and consequences of Sovereignty, are the same in both".⁷⁵

The sovereign, regardless of how he obtained that position, had the power to make all civil laws, hear controversies, arbitrate between parties, make war or declare peace, choose all ministers and counselors, give rewards or punishments and bestow rank or titles to his subjects.⁷⁶ Hobbes gave the powers of the Judicial, Legislative and Executive branches to his sovereign.

73. Ibid., p. 106.

74. Ibid.

75. Ibid., p. 104.

76. Ibid., pp. 93-94.

Aside from this, the sovereign was also in charge of all society's religion and he himself was not subject to the civil law. Since the sovereign made the law, he could repeal it when it didn't suit him. So he could free himself of the law. The civil law came from the sovereign. "Nor is it possible for any person to be bound to himself; because he that can bind, can release; and therefore he that is bound to himselfe onely, is not bound".⁷⁷

Hobbes has been accused by many of creating a totalitarian sovereign.⁷⁸ Hobbes would probably answer that the sovereign could act only by the authority of his subjects. They had authorized him to do anything within his means to preserve their lives. Since he did only what they authorized him to do, nothing he did could harm his subjects, since by the laws of nature, no man could harm himself.⁷⁹ No subject would kill, injure or overthrow a sovereign, since by definition the sovereign acted only in the best interest of the subject.⁸⁰

The question can be asked of Hobbes, "why was it necessary to give the sovereign such absolute rights?" The first and most obvious answer is because in order

To escape the consequences of his bestial and timid nature, man must erect a civil authority of terrifying completeness:

77. Ibid., p. 141.

78. Locke, of course believed this and more recently by Hannah Arendt in her article "Expansion and the Philosophy of Power" in the Sewanee Review and Eugene J. Roesch in the Totalitarian Treat.

79. Hobbes, Leviathan ed. Lindsay, p. 92.

80. Ibid.

a state based on naked, and wielding absolute, power, with no other function than to wield power; whose effectiveness alone is its legitimacy; whose opinions are truth; whose orders are justice; resistance to which is a logical absurdity.⁸¹

Although this would be Hobbes's favorite answer, another reason for giving such power to the sovereign was because Hobbes said the sovereign would be a rational man who would know the laws of nature. All men have the capability to be rational, but few men use this capability. Most men therefore cannot interpret the laws of nature for themselves. Since the sovereign was a rational man, he could interpret the laws of nature and force his subjects to act rationally whether or not they really were,⁸² thereby making society more secure.

Another reason why Hobbes was convinced that an absolute sovereign was needed goes back to man in the state of nature. Since Hobbes believed there were no rules handed down by God, he also did not believe in any objective right. In the state of nature, then, the only requirements for an act of man to be judged right or just was if the act preserved his life. This follows from his contention that the only rule existing in the state of nature was the Natural Right of each man to preserve his own life. The contract was a link between the undesirable state of nature with no moral law and the need for a morally based society. Once men made their contracts with each other, they placed themselves in civil society, which necessitated laws to enforce their

81. Trevor - Roper, "Books in General," p. 61.

82. J. B. Stewart, "Hobbes Among the Critics," Political Science Quarterly 73 (December 1958): 552. Hobbes, Leviathan ed. Lindsay, p. 146.

contracts. The sovereign was chosen to make the civil laws, and through these laws, the sovereign could declare what was right and just. This, according to Hobbes, and the Stoics, was extremely important because injustice jeopardized peace, but the enforcement of justice secured peace.⁸³

For all the absolute power Hobbes heaped on the sovereign, he did not give complete unlimited power. Hobbes did not maintain that the sovereign could do anything he wanted. Even though the sovereign could make all civil laws, Hobbes placed restrictions on them. Hobbes said that all civil law must contain the laws of nature. Therefore the civil law, made by the sovereign could never be against reason.⁸⁴ So the sovereign's law must be rational.

The sovereign was more seriously limited because Hobbes said that he must uphold man's Natural Right. The sovereign had no right to threaten the life of his subjects, because he was given the power of sovereign for the sole purpose of protecting his subjects. The sovereign had an obligation to the people. Hobbes, in fact, said that the subjects were obligated to obey the sovereign only as long as he protected them. If the sovereign tried to kill one of his subjects, even if it was a legal execution, the subject had a right to bodily defend himself. This held true for battle as well; a subject might rightfully

83. Ibid., p. 140. Hobbes, Leviathan ed. Pogson Smith, p. xvi. Strauss, Political Philosophy of Hobbes, p. 24.

84. Hobbes, Leviathan ed. Lindsay, pp. 140-141.

flee a battle to preserve his own life if he chose.⁸⁵

Hobbes believed that the threat of death was such a dark fear, no man would risk his life to disobey a sovereign unless he knew he would die otherwise. But all are not in agreement with Hobbes on this point.

Hobbes theory depends on the assumption that men desire security above all things, that there is nothing for which men would think it worth-while to risk their lives. He thinks that men would never rebel if they thought they would lose their lives in the process. Society is never in danger from such men. It is men who will die rather than tolerate what they hold to be an injustice who endanger the state. If men were as careful of their lives as Hobbes makes out, there would be no need of a sovereign power. If they were restless, except when they had perfect security, there would be no possibility of one.⁸⁶

Hobbes would say that men would tolerate injustice as long as it does not threaten their lives. To fight against the sovereign, even if he was wrong, would be to break the all important security of the society.⁸⁷

Aside from Hobbes's own imposed restrictions, it has been argued that Hobbes's sovereign was more limited than he imagined. The argument was that there are two types of power. Physical power is the capacity to move or alter physical objects in conformity with one's wishes; and political power which is the capacity to alter the will of the people to produce results that one wills. Hobbes's sovereign had plenty of physical power but

85. Ibid., pp. 114, 116.

86. Ibid., pp. xxi - xxii.

87. Ibid., p. xvii.

he was pathetically weak, having very little political power.⁸⁸

He could force his subjects to do the things he wanted them to do, but he couldn't make them want to do it.

There are always some men who act only for their own self-interest and who care nothing for the standards of the rest of society. These men are restrained by the coercive power of the state and Hobbes describes rightly their relation to the state. But if all men were as Hobbes describes them, there could be no state. The sovereign can by its force, restrain men from burglary, but only because most men do not want to burgle. Let a government pass a law which the great mass of the people are determined to disobey and the authority of the state, so far as that is concerned, is nothing.⁸⁹

Hobbes's theory fails to convince, mainly through his inconsistent view of man. He would have us believe that in the state of nature, man was a "power-thirsty animal" but once he made a contract with his fellowmen, he became a "poor little fellow" who had not the right to rise up even against a tyrant.⁹⁰ How could man start out so strong and end up so weak? How could Hobbes, who was, for all his denials, a reader of history, have said that man feared death so, that he would never risk his life to battle against injustice? How could he think that all men would stand back and allow a sovereign to commit wrong acts against his subjects. In the final analysis, a government can only do what the people want. Hobbes's sovereign would have to please his people, he could never be an absolute ruler.

Hobbes's Leviathan pleased almost no one in his own day as

88. Warrender, Philosophy of Hobbes, pp. 312, 317.

89. Hobbes, Leviathan ed. Lindsay, pp. xxii - xxiii.

90. Hannah Arendt, "Expansion and the Philosophy of Power," The Sewanee Review 54 (Autumn 1946): 613.

it pleases almost no one today. The royalists disliked it because it seemed to support Cromwell. The Cromwellians disliked it because it seemed to refute the existence of God. The absolutists disliked it because he disallowed divine right. But Hobbes continued to write, publishing several more works including Decorpore, Dehomine and translating all of Homer into English before his death in 1679. He was even a favorite within the restored court of Charles II for a brief period.

Except for some brief publicity, when he was involved in a pamphlet argument with a mathematician who questioned Hobbes's claim to have squared the circle,⁹¹ Hobbes lived the rest of his life in obscurity. Although he was forgotten, the new ideas he presented were not forgotten. He wanted to eradicate the old traditions, end the standards set by Greece and Rome and wipe out any Biblical influence. He sought a scientific basis for society, and as a result he set up a government based on psychology rather than history. Political science has never been the same since, because subsequent political thought has been based on the nature of man, not history and certainly not God.

Hobbes lived out a quiet life to the age of ninety-one, playing tennis at seventy-five, and writing huge volumes at eighty-six. "Of the Leviathan, that product of his headstrong sixties, he did not speak. There has never been anything to add to its utter finality."⁹²

91. Copleston, History of Philosophy, p. 2.

92. Trevor - Roper, "Books in General," p. 61.

JOHN LOCKE

Thomas Hobbes's contemporaries were repulsed by his description of man in the state of nature. They were no more willing than later generations to accept his description of their ancestors as selfish brutes. It was largely for this reason that Hobbes was unpopular in his own day. Conversely, it was largely because he saw man as reasonable and civilized that John Locke became very popular in his own time. Locke said that man in the state of nature was not an uncivilized hermit, but highly socialized and possessing rights that originated out of his social needs.¹ At a time when men looked on themselves as scientific and advanced, Locke became their spokesman. His "Treatise was popular because it suited the social aspirations and also the intellectual prejudices of classes growing in importance..."² Although Locke was well received in his later years, he did not always ride on a wave of popularity. Early in his life he was often outside of the accepted political practices; for a period his direct opposition to those holding power forced him, like Hobbes, to flee the country.

Locke was born in Wrington, England in 1632. His father was an attorney who fought on the parliamentary side in the first

1. J. W. Gough, John Locke's Political Philosophy: Eight Studies (London: Oxford University Press, 1950), p. 26.

2. Plamenatz, Man and Society, p. 212.

rebellion against Charles I. Locke's parents were Puritans, but liberal in their practice and thought. It was from them that he obtained his early religious and political training, a training which he never abandoned.

When Locke was fourteen, he entered Westminster School where he studied the classics. Six years later he was given a studentship at Christ's Church, Oxford. In 1656, Locke received his B.A. and remained for a master's degree, lecturing and holding a position as censor of moral philosophy. During this period Locke studied medicine and although he never actually practiced, his later works reflected his scientific training.

By 1665 Locke's interest was beginning to turn to politics. He was sent on a diplomatic mission to the Elector of Brandenburg and was offered a secretaryship to Spain.³ His political involvement began when he was appointed physician to Anthony Ashley Cooper, later first Earl of Shaftesbury. In 1668 he performed what some consider to have been a very delicate operation on Ashley for an abscess in the chest. As a result of this successful and dramatic operation, Locke became his close personal friend and advisor.⁴ Largely through Shaftesbury's influence, Locke began to hold positions in the government. Under Shaftesbury's direction, he drew up the Fundamental Constitution

3. The McGraw - Hill Encyclopedia of World Biography, 1973 ed., s.v. "Locke, John."

4. Maurice Cranston, John Locke: A Biography (London: Longmans, Green and Co. Ltd., 1957), p. 113.

for the colony of Carolina, was secretary of presentations and became secretary of the Council of Trade. Locke toured the continent from 1675 to 1679. When he returned to England he found it torn by political conflicts. In the center of these conflicts was his employer and friend, the Earl of Shaftesbury, the leader of the parliamentary opposition which was attempting to stop Charles II's brother, James, Duke of York, from ascending to the throne. Shaftesbury gained nothing from his opposition to Charles II and James; his drift from great power to impotence culminated in his trial for treason in 1681. Although acquitted, Shaftesbury fled to Holland where he died in 1683.

Meanwhile, Locke had returned to Oxford, but because of his close ties to Shaftesbury, was constantly under surveillance by the government and was not accepted by the Oxford community, which tended to be pro-Crown. In 1683 he also left for Holland where he learned that he was deprived of his studentship at Oxford. When Charles II died in 1685 and James II ascended to the throne, an aborted attempt to overthrow James was made by the Duke of Monmouth. Locke, who probably had nothing to do with that attempt, was denounced in England as a traitor by the Crown which demanded his return.⁵

The Dutch did not respond to this demand and during his extended stay in Holland Locke wrote prolifically, contributing to

5. Although Locke probably only philosophically supported the Duke of Monmouth's attempted rebellion, it seems likely that he was involved in a conspiracy with Shaftesbury earlier to exclude James, the Duke of York. Locke, Two Treatises, p. 32.

the Biblioteque Universelle of Jean Leclere, writing and publishing the First Letter Concerning Toleration, and working on the Essay Concerning Human Understanding. Locke was also deeply involved in politics and at the very least was advising William of Orange in the plot for the English throne.⁶

By the fall of 1688 William was in England and the following year Locke returned home on the same boat with the future Queen Mary. In 1690 Locke's work, the Two Treatises of Government was published anonymously.⁷ According to the preface it was written "to establish the Throne of our Great Restorer, our present King William; to make good his Title, in the Consent of the People."⁸ Recently however, much evidence has been presented to prove that the two treatises were not written together and that the more important second treatise was written first, during Charles II's reign while Shaftesbury was trying to exclude James II.⁹

Although Locke was obviously in a good position to benefit from the support that he had given William and Mary, he declined many governmental positions offered to him and accepted, only when pressed, a position as commissioner on the Board of Trade and Plantations, which he kept until 1700.¹⁰ In 1691, Locke settled into permanent residence at Oates in Essex, the home of

6. Cranston, Locke, pp. 303-305.

7. Locke did not want it known that he had written the Two Treatises and in fact never publically admitted that he had. Locke, Two Treatises, p. 6.

8. Ibid., p. 155.

9. Ibid., p. 33.

10. Cranston, Locke, p. 481.

Sir Francis and Lady Masham, where he received visitors and again wrote extensively. In 1693 he published Some Thoughts Concerning Education, from 1695 to 1697 he wrote the Reasonableness of Christianity, A Vindication of the Reasonableness of Christianity and a second Vindication; and he edited the Two Treatises of Government. The last of his writings were commentaries on the epistles of St. Paul, which were published posthumously. Locke died in 1704 at the age of seventy-two.

He could have looked back on his life with a sense of pride in his accomplishments - he had successfully challenged the accepted doctrines of absolute monarchy and divine rights, had helped enthrone a King of his own choice, had been complimented for his single act as a physician, and had been loudly acclaimed as a political philosopher and educator. Furthermore, he had remained true to his political ideas and, more importantly to him, to his religious beliefs. He had made an impact on his world and was to make an even greater impact on the generations to come. Locke's work was not just a "piece d'occasion," although its completion and publication was inspired by the Glorious Revolution in an attempt to justify the Revolution and the resulting government. Nor was he simply a political pamphleteer as he has been accused, whose ideas too closely related to the contemporary historical circumstances to hold any meaning.¹¹ Lock was a professional philosopher¹² and his scope was far reaching. More than either Hobbes or Rousseau, Locke

11. Copleston, History of Philosophy, p. 138.

12. Gough, Locke's Philosophy, pp. 123-124.

succeeded in popularizing his ideas.

Locke's position in the history of Western thought rests upon his Essay Concerning Human Understanding and Two Treatises of Government. The former laid the foundations of British empiricism and the latter stated the basic principles of liberal democratic thought.¹³ Locke wrote for eighteen years on his Essay Concerning Human Understanding. His purpose for writing it was "to inquire into the origin, certainty, and extent of human knowledge, together with the grounds and degrees of belief, opinion and assent".¹⁴ He was actually the first to make an inquiry into the intellectual powers of man.¹⁵

Locke had begun his philosophical career by studying scholasticism and much of his philosophy revolved around scholastic problems.¹⁶ In the Essay however he rejected the scholastic doctrine that principles of knowledge were based on authority. He also rejected the Stoic idea, more recently popularized by the Cartesians, that knowledge was innate.¹⁷ Locke instead explained that at birth man's mind was a blank slate. Man gains knowledge only through his senses as he experiences things. As his senses record the experience his mind can reflect. The

13. Encyclopedia International, 1966 ed., s.v. "Locke, John," by D.G.C. Macnabb.

14. John Locke, Essay Concerning Human Understanding, ed. Robert Maynard Hutchins (Chicago: Encyclopedia Britannica, 1952), p. 93.

15. Encyclopedia of the Social Sciences, 1933 ed., s.v., "Locke, John," by C. R. Morris.

16. Gay, The Enlightenment, p. 321.

17. Locke, Essay, p. 112.

senses take the simple experiences, the mind reflects on them, compounding, rearranging and making them into more complex ideas.¹⁸ Locke's Essay laid the groundwork for man in the state of nature: born without ideas or knowledge, the natural man was brought through his experiences from a primitive, ignorant state, to a civilized reasonable state. Locke did not believe in innate ideas, but he did believe that God had given man something. "The voice of God in man" was man's ability to reason.¹⁹ Through his power to reason man could gain ever expanding knowledge. He could use this knowledge to gain a better place for himself in this world and in the next. "Pascal had been wrong: men were not born in sin and destined for destruction, but born in ignorance and destined through reason to work out their own solution."²⁰ David Hume and his skepticism would take these theories much further, but Locke is considered to be the founder of the school of empiricism.²¹

As previously stated, Locke's formulation of ideas for his Essay Concerning Human Understanding helped him in the development of his later and more widely known work, the Two Treatises of Government. In the Two Treatises, Locke not only justified the Glorious Revolution, disclaiming divine right and absolute monarchy

18. Locke, Essay, p. 147.

19. Gough, Locke's Philosophy, p. 3.

20. Martin, French Thought, p. 13.

21. Copleston, History of Philosophy, p. 141.

in favor of a representative form of government; he also tried to assert the right of the people to resist their rulers when they were misruled by them²² and to form a legal government that would rule them as people with certain rights. In order to assert this, Locke started by first refuting the widely accepted beliefs of his day as expounded by Sir Robert Filmer in The Patriarcha.

Sir Robert Filmer was the favorite pamphleteer of the Tories and the royal family. Although his most well known work is the Patriarcha, he wrote many other essays and articles. His basic contention was that a king rules by divine right, having been chosen by God, who first gave to Adam the right to rule the world. God expected Adam to pass on his property and his right to rule down to his eldest son. As each ruler passed his property and his right to rule down to his own eldest son, God blessed each new king. The present kings, then, were the descendents of Adam and had God's blessing on their authority over the people.

Filmer's Patriarcha was not as well written as were some of his earlier works and Locke did not have a difficult time refuting it.²³ Filmer's entire argument had been based on Biblical quotations. Locke met Filmer on his own ground and often quoted the Bible to prove Filmer wrong. Locke's religious upbringing was clearly invaluable. Locke maintained that Adam was not made the ruler of the world by God but merely given dominion over the

22. Plamenatz, Man and Society, p. 210.

23. Locke, Two Treatises, p. 68.

inferior animals, not over other men, since there were no other men at that time. Locke, as we shall see, had already written in the second treatise that man had a right to pass on his property to his children, but he accused Filmer of limiting property inheritance. Filmer had said God gave Adam property to give to his eldest son. Locke said God gave every man, not just Adam, the right to use the creatures and property and to pass it on to his sons. Finally, Locke disputed Filmer's entire contention that Adam was the source of monarchical power. Locke maintained that if Adam's heirs had all his kingly powers and if each generation only passed down their power to their eldest son, there would be only one king of the world today. Since this was obviously not true, there was no way to tell which king deserved the rule and therefore no reason for any of them to be obeyed on the grounds of divine right.²⁴

Locke's first treatise is considered by most political philosophers to be relatively unimportant. Filmer, a relatively obscure figure in history, had no real lasting influence on English government. For this reason some historians have lamented that Locke chose to refute Filmer rather than Hobbes. Hobbes's influence has been more widely spread and his arguments were much more sound than those of Filmer.²⁵ Locke recognized however that Filmer's ideas were more of a threat to his theories than were

24. Ibid., chaps. 3, 4, 5, 9, 10 passim.

25. Gough, Locke's Philosophy, p. 128. Sabine, History of Theory, p. 524.

Hobbes's. Locke after criticising Filmer in his second treatise, realized that his random criticism there was not enough. He then wrote the first treatise criticising at length the Patriarcha.

The Leviathan did not deserve an extensive refutation because Hobbes was unacceptable even to the Tories. Although Locke wrote neither of his treatises to refute Hobbes's political philosophy, it could not be ignored. Locke was profoundly influenced by Hobbes, and often he addressed himself indirectly to Hobbesian points.²⁶

Locke, in fact, began his second treatise at the same starting point as Hobbes - man in the state of nature. Hobbes had used man in the state of nature as a tool for fresh thinking. Locke also used the state of nature as a tool. And, like Hobbes, Locke gave natural man the characteristics he wanted them to have in order to fit the government he had already erected for them. Hobbes described man's state of nature in brutal, frightening terms, but Locke found it

a state of perfect freedom to order their actions, and dispose of their possessions and persons as they think fit, within the bounds of the law of nature, without asking leave, or depending upon the will of any other man.²⁷

Locke said the state of nature was also a state of equality, "wherein all the power and jurisdiction is reciprocal, no one having more than another."²⁸ Locke's state of nature was defined

26. Locke, Two Treatises, pp. 70-71.

27. Locke, Two Treatises, p. 287.

28. Ibid.

in positive terms, not negative like Hobbes's absence of restraint.²⁹ In Locke's state of nature man could be happy, for he had perfect freedom and perfect equality. Yet Hobbes had also claimed that man in his natural state was also free, free to do whatever he wanted because there were no enforceable laws. Locke answered, "where there is no law, there is no freedom. For liberty is to be free from restraint and violence from others which cannot be where there is no law."³⁰

Hobbes had maintained that the natural laws could not overcome man's natural passions of partiality, pride, and revenge and were therefore useless in the state of nature. Locke's more elaborate natural laws could be enforced, not by man, but by God. By postulating this, Locke's task was much easier than Hobbes's. Hobbes had to construct a political system from an ethical vacuum - no moral laws and no moral figure. Locke had no ethical vacuum, like Filmer, his natural and moral laws came from God.³¹

For men being all the workmanship of one omnipotent, and infinitely wise maker; all the servants of one sovereign master, sent into the world by his order and about his business, they are his property, whose workmanship they are, made to last during his, not one another's pleasure.³²

Locke said the Bible showed that man in the state of nature

29. Ibid., p. 111.

30. Ibid., p. 324.

31. John Dunn, The Political Thought of John Locke (Cambridge: Cambridge University Press, 1969), p. 79.

32. Locke, Two Treatises, p. 289.

did have natural law.³³ The natural law can be known through reason³⁴ which is "the voice of God in man." Everyone in the state of nature had the power to execute the law of reason and thereby obey natural law. What Locke failed to make clear was the source of human reason. At various times he indicated that it was the divine will of God; that it was rationally self evident to all men; and that in the state of nature, it was more deeply ingrained than it is now in civil society.³⁵

For Hobbes, natural man was governed by the rule of power, force and fraud. For Locke, natural man followed a "universally obligatory moral law, promulgated by human reason as it reflects on God and His might, on man's relation to God and on the equality of man."³⁶ Locke's natural law contained obligations that men have to God, to themselves and to their fellowman. Locke agreed with Hobbes that one of the laws of nature is for man to preserve himself. This, man owes not only to himself but to his creator. But Locke, unlike Hobbes, said man also had an obligation to preserve the rest of mankind - this he owed to God and to his fellowman. The laws of nature say that "no one ought to harm another in his life, health, liberty, or possessions."³⁷

33. Gough, Locke's Philosophy, p. 22.

34. Charles H. Monson, Jr., "Locke and His Interpreters," Political Studies 6 (June, 1958): 121.

35. Sabine, History of Theory, p. 526.

36. Copleston, History of Philosophy, p. 121.

37. Locke, Two Treatises, p. 289.

In Locke's state of nature man was a social creature.³⁸ Locke agreed with Aristotle and disagreed with Machiavelli and Hobbes. Man did not need civil government to make him cooperate with other men. The laws of nature encouraged cooperation, but, unfortunately, did not enforce it. God had given man the right to free will.³⁹ Usually men exercised their free will and obeyed the natural laws; sometimes men chose not to obey the natural law, which brought complications in the state of nature. As long as only a few men exercised their free will by disobeying the natural law, natural society could handle the resulting problems. In the state of nature, man had two powers: to preserve himself and the power to punish when the law of nature was broken. This was the only lawful way that one man could harm another. When a man broke the law of nature, he was not behaving like a man, he was then a "noxious creature" and was no longer entitled to be protected from harm by the natural laws.⁴⁰ Illegal acts could be punished by individuals in the state of nature. If society had remained in a simple, primitive state there might never have been a need for civil society.

God not only gave man the right to protect his own life in the state of nature, but the right to protect his possessions as well. Locke believed that the right to own property was as fundamental as the right to life; without the right of property, man

38. Gough, Locke's Philosophy, p. 43.

39. Ashcraft, "Locke's State of Nature," pp. 902-903.

40. Locke, Two Treatises, pp. 289-291.

could not survive.

God, who hath given the world to men in common, hath also given them reason to make use of it to the best advantage of life, and convenience. The earth, and all that is therein, is given to men for the support and comfort of their being. And though all the fruits it naturally produces, and beasts it feeds, belong to mankind in common, as they are produced by the spontaneous hand of nature; and no body has originally a private dominion, exclusive of the rest of mankind in any of them, as they are thus in their natural state; yet being given for the use of men, there must of necessity be a means to appropriate them some way or other before they can be of any use, or at all beneficial to any particular man.⁴¹

God wanted man to survive in this world and for that reason, He gave man the world to use for his survival. The only way man could survive was by gathering the nuts and berries, killing the game, and planting and harvesting the crops. Originally man had no property except his own body; the only way that he could obtain property was to mix the labor of his body with the property. As he gathered the nuts, he was using his labor. "That labour put a distinction between them and common. That added something to them more than nature, the common mother of all, had done; and so they became his private right."⁴² In order to mix his labor and take possession of his property, man did not need the consent of everyone. Locke said if this consent was necessary, man would have starved in spite of the bounty God had provided.

It would appear that to some extent man in the state of nature would be able to grab as much property as he wanted without regard for anyone else. Locke seemed to be Hobbesian in his

41. Ibid., pp. 303-305.

42. Ibid., pp. 305-306.

approach - the most powerful man in the state of nature could reign havoc on his fellowman since no restraints would be present. Locke, however, had a solution to this problem. He maintained that the same law of nature which allowed for man to own property also placed a limit on the amount he could own. God gave man as much property as man could enjoy, provided it didn't spoil. Man could gather as many nuts as he wanted, as long as he could use them before they rotted. Man didn't have to consume them all himself, he could trade extra nuts for something else he wanted. Even land itself could be owned in large quantities as long as the man cultivated all of it.⁴³ Considering the abundance of uncultivated land in the world, Lock argued that everyone would have had as much as he could cultivate and life would have been fair, if not for the invention of money.

Money, or in Locke's day, gold and silver, was invented because man needed some way to accumulate property without threat of spoilage. Man started accumulating gold and silver because he could extend his property and not risk breaking a law of nature.

...if he would give his nuts for a piece of metal, pleased with its colour; or exchange his sheep for shells, or wool for a sparkling pebble or a diamond, and keep those by him all his life, he invaded not the right of others, he might heap up as much of these durable things as he pleased; the exceeding of the bounds of his just property not lying in the largeness of his possession, but the perishing of any thing uselessly in it.⁴⁴

Locke said that we need not worry about the unequal distri-

43. Ibid., pp. 308-309.

44. Ibid., pp. 311, 318.

bution of wealth because men in the state of nature had agreed to accept unequal possessions, since they agreed on the value of gold and silver.⁴⁵ Unfortunately, the use of money in the state of nature was a disruptive force. The new social differences that were incurred as a result of the differentiation between rich and poor led to social conflict. This conflict threatened the peace and stability of the state of nature.⁴⁶

Locke had earlier explained that under certain conditions the state of nature could become the state of war. The state of war was a state of "enmity and destruction" which occurred when one man, by design, wanted to put another under his power. The law of nature said that a man had a right to preserve himself. If a man came under the power of another, his life would be seriously threatened.

For I have reason to conclude, that he who would get me into his power without my consent, would use me as he pleased, when he had got me there, and destroy me too when he had a fancy to it. For nobody can desire to have me in his absolute power, unless it be to compel me by force to that, which is against the right of my freedom, i.e. make me a slave. To be free from such force is the only security of my preservation: and reason bids me look on him, as an enemy to my preservation, who would take away that freedom, which is the fence to it: so that he who makes an attempt to enslave me, thereby puts himself into a state of war with me.⁴⁷

Man, then, had a right to kill another man who threatened him. It was even lawful for a man to kill a thief who had done him no physical harm, because the thief had taken away property

45. Ibid., p. 320.

46. Dunn, Political Thought, p. 118.

47. Locke, Two Treatises, pp. 296-297.

and therefore had the victim in his power. Locke said the

difference between the state of nature, and the state of war, which however some men have confounded are as far distant,⁴⁸ as a state of peace, Good Will, Mutual Assistance, and preservation, and a state of Enmity, Malice, Violence, and Mutual Destruction are one from another. Men living together according to reason, without a common Superior on Earth, with authority to judge between them, is properly the State of Nature. But force, or a declared design of force upon the person of another, where there is no common Superior on Earth to appeal to for relief, is the state of war.⁴⁹

Locke agreed with Hobbes that the state of war was terrible for man and seriously threatened his ability to survive, but he rejected the assertion that the state of war existed because there were no moral laws. There were moral laws, but no organization existed to give effectiveness to the rules.⁵⁰ Men, therefore, looked for a way to avoid their horrible situation. They needed an authority, a power on earth, so they placed themselves into a civil society.⁵¹

Locke has been severely criticised recently for his theory of property. Some historians accused him of writing merely to appeal to the merchants of his day and their growing desire for wealth. Others have said by use of this theory, poverty and imperialism have been justified.⁵² He has also been commended for influencing the physiocrats with his labor theory of value

48. Locke here is making an obvious reference to Hobbes's state of nature which is totally a state of war.

49. Locke, Two Treatises, p. 298.

50. Sabine, History of Theory, p. 526.

51. Locke, Two Treatises, p. 299.

52. Vann, Century of Genius, p. 120. Also see Macpherson's The Political Theory of Possessive Individualism and Strauss's Natural Right and History.

and passing on to Adam Smith his theory that each person should be free to gain his own property without interference or responsibility by the government.⁵³ A more objective view is that

Locke's doctrine of property was incomplete, not a little confused and inadequate to the problem as it has been analysed since his day, lacking the humanity and the sense of social cooperation to be found in the canonists who had preceded him. But it remains an original doctrine, particularly important in its bearing on the way men analysed social and political origins, and his own judgement on it must stand - no man has ever done quite this before or since.⁵⁴

Hobbes and Locke both saw that the need for government grew as a result of the state of nature. They disagreed, however, on the cause. Hobbes said man's nature caused the need for a government. Locke, who said man's nature was reasonable, thought the primary cause for conflict was not man himself but his invention of money.⁵⁵ Hobbes said government was a necessary but artificial device to solve the problems in the state of nature. For Locke, government was a rational remedy for the inconveniences man found in the state of nature.⁵⁶

Both men agreed that when the state of war became too severe, natural men would come together and make an agreement among themselves to end the constant threat to their lives. It is on this point that Locke is more believable than is Hobbes. Locke's man

53. Copleston, History of Philosophy, p. 141. Martin, French Thought, p. 221. Monson, "Locke and His Interpreters," p. 130.

54. Locke, Two Treatises, pp. 105-106.

55. Dunn, Political Thought, p. 118.

56. Gough, Locke's Philosophy, p. 43.

in the state of nature is reasonable. For the most part, he has already been able to obey natural laws. He has been concerned for his fellowman and tried not to harm him. He has consented to divide up property and has even agreed, with other men, to place a value on gold and silver. Locke's natural man was already a social person, living in a complex world. Joining together with other men to form a civil government was simply a further step in his social development. Hobbes's natural man, however, was a brute, only slightly better than the animals.

Before the institution of society, the natural man is represented as almost non-rational, instituting and conducting the state, he shows preternatural powers of calculation...The result is a paradox. If men were as savage and anti-social as they are at first represented, they would never be able to set up a government. If they were reasonable enough to set up a government, they could never have been without it.⁵⁷

Locke said that men in the state of nature actually made two agreements or contracts with each other. The first, was when men united to make what Locke called a community. This community was a combination of everyone who had consented to unite together and it was ruled by the consent of the majority. It acted as an umpire, settling rules and arbitrating between parties. Locke was a major contributor to the developing ideas of the community. As Locke saw it, the community was made up of individuals but it was also the trustee of individual rights.⁵⁸

57. Sabine, History of Theory, pp. 464-465.

58. Locke, Two Treatises, pp. 342, 349-351. Copleston, History of Philosophy, p. 135. Sabine, History of Theory, p. 538.

The second contract was made by the community in order to set up an actual government, which could take any of various forms. Since the community created the government, Locke said the government could be overthrown and a new government instituted without affecting the stability of the community at all.⁵⁹

The people willingly left their state of nature in order to establish laws which would protect their lives and property, have impartial judges to arbitrate disputes, and have the power to enforce and the right to execute a sentence.⁶⁰ Although the people gained these powers, they also lost important powers when they made a civil society. Man's power to do whatever he thought was best to preserve his own life would, in civil society, be regulated by law. He relinquished to society the ability to punish crimes against himself.⁶¹ Man voluntarily gave up some rights in order to gain more important rights when he joined civil society.

Locke said, "Those who are united into one Body, and have a common established Law and Judicature to appeal to, with Authority to decide controversies between them, and punish offenders, are in Civil Society..."⁶² He agreed with others, like Filmer and Hobbes, that the first form of government was administered by one

59. Locke, Two Treatises, pp. 342-343, 349-351, Chapt. 10. Copleston, History of Philosophy, p. 135.

60. Locke, Two Treatises, pp. 370-371.

61. Ibid. Gough, Locke's Philosophy, p. 281.

62. Locke, Two Treatises, p. 342.

man. Locke maintained that this was a direct outgrowth of families. The head of the family was naturally looked to as a leader. As various families united together, one man would naturally emerge as the wisest and bravest. The rulers were generally followed only during war. Unlike Hobbes, these men were rulers not because they were feared but because they were loved and trusted. People willingly gave them authority.⁶³ Locke believed this method of choosing rulers was originally satisfactory, but unfortunately as time passed, the rulers were no longer the loved and trusted men they once were.

Yet, when Ambition and Luxury, in future ages would retain and increase the power, without doing the Business, for which it was given, and aided by flattery, taught Princes to have distinct and separate Interest from their People, Men found it necessary to examine more carefully the Original and Rights of Government.⁶⁴

Locke had already examined the origin of government, it was left to examine government's rights.

The only rights or powers a government could have are those the people under that government consented to give. As Locke previously said, man gave up two powers to the government when he entered civil society. The power to defend his own life he gave to the legislature, and they made laws to protect his life. The power to punish acts committed against him he gave to the executive, who enforced the law and punished crimes. Locke's civil society, then, had two branches of government and separate

63. Ibid., pp. 354-375.

64. Ibid., p. 361.

powers for each branch.

The first law of the civil society established the legislature as having supreme, but not unlimited, power or sovereignty, since it had certain prescribed duties. Its fundamental duty was to obey the first law of nature and to preserve society but in doing this, it could not be arbitrary. The legislature had to dispense justice by law; it could not take property without the owner's consent and it could not tax except by consent. Most importantly, the legislature could not give its power to make laws to any other body. The power had been given to the legislature, but they were only holding it in trust for the people.⁶⁵

Locke said that laws, once made, had to be attended to constantly. Since the legislature was not always seated, the executive, which was always seated, enforced the law. In this way, Locke became one of the originators of the idea of separation of powers. Not only did the executive have the power to enforce the law, he also had what Locke called federative powers. The federative powers were those that dealt with war, peace and foreign alliances.⁶⁶ The executive also had another power, the power of prerogative. Locke recognized that sometimes the law making power was too slow and could not foresee every circumstance that might come up. When this occurred, the executive would need additional power to act by his own discretion for the public good. This prerogative power was power that could be used

65. Ibid., pp. 378-380. Gough, Locke's Philosophy, p. 115.

66. Locke, Two Treatises, pp. 382-390. Gough, Locke's Philosophy, p. 36.

only for the good of the people. The executive was allowed to use this power by his people, who could take it away from him if he abused it.⁶⁷

Throughout his second treatise Locke constantly reminded the reader that although power belonged to the government, it could be taken away if abused. Even when Locke said that the legislature was the supreme sovereign, he qualified the statement by adding that the people were, in actuality, supreme. They exercised their power only at the foundation of the state and not again unless an overthrow of the government was necessary.⁶⁸

Locke continued his examination of various powers in order to ascertain what constituted an abuse of power. He said there were three types of powers: paternal, political and despotic. Paternal power he had spoken of earlier at length. This was the power given by nature that all parents had over their children. Political power was the right to make laws with penalties that would preserve property, defend the commonwealth and maintain the public good; this was given to a government by voluntary agreement among the people. Despotic power, the absolute power one man has over another to take away his life, was neither natural nor contractual; it was the effect only of forfeiture. That illegal power was a result of a conquest when one man placed himself in a state of war with another.⁶⁹

67. Locke, Two Treatises, pp. 393-394.

68. Gough, Locke's Philosophy, p. 115.

69. Locke, Two Treatises, pp. 399-401.

On the subject of conquest, Locke and Hobbes again disagreed. Hobbes saw conquest as a legitimate source of government, creating commonwealth by acquisition. Locke said if the war was illegal⁷⁰ then the conqueror had no right to power over the conquered. Unfortunately, the only appeal the conquered had was to heaven. Even if by Locke's standards the war was legal, the conqueror would have power only over those who actually fought against him; not their wives, children or possessions.⁷¹

Locke observed that not all despotic power came as a result of foreign conquest; usurpation was a result of domestic conquest. A usurper had no legal rights because he was exercising power that rightly belonged to another. The usurper was contrasted with the more dangerous tyrant, who exercised power beyond anyone's right. Locke believed that a people had more to fear from a tyrant than from any other form of despotic power.⁷² For this reason, he used a test to determine if a king was a tyrant. If the king ruled and used his power for the benefit of his people then he was a good king. But if he ruled not for the good of those who were under his rule but for his own private advantage he was a tyrant.⁷³ If a king ruled only for himself, he was going against

70. An illegal war to Locke was one in which an aggressor conquered an innocent victim. Hobbes thought all sides were guilty in war and "to the victor belongs the spoils". Ashcraft, "Locke's State of Nature", p. 905.

71. Ibid., p. 914. Locke, Two Treatises, pp. 403-411.

72. Locke's major goal, when he revised the Second Treatise before publication, was to prove James II had been a tyrant.

73. Ibid., pp. 415-417.

natural law, for under natural law no man had the right to harm another person's life or possessions. A king who ruled only for his own good was breaking natural law.

Hobbes would have argued that the king was required only to obey civil law, because civil law contained natural law. This meant that if the civil law did not directly oppose what the king was doing, he was justified in acting as he did. Locke maintained a directly opposing view. He said there were three types of laws: natural or moral, civil, and opinion or reputation, none of which subsumed another. Natural law was prior to and much broader than the others,⁷⁴ for natural laws were valid regardless of whether a government recognized them or not. The king, according to Locke, had a higher obligation to enforce natural law than he did to enforce civil law. This higher obligation was due to the contract that the community had made with the king as representative of the government. In this way, Locke was joined with the Stoics. Moral restraints on powers, the responsibility of rulers to communities and the subordination of the government to law were the axioms they believed in.⁷⁵

Locke argued that governments could be removed under certain specific circumstances without causing harm or disruption to the community. A government could be dissolved if it was conquered by a foreign country or if the legislature, executive

74. Sabine, History of Theory, p. 526. Copleston, History of Philosophy, p. 125.

75. Sabine, History of Theory, p. 523.

or both acted contrary to the trust the people placed in them.

whenever the Legislators endeavour to take away, and destroy the Property of the People, or to reduce them to slavery under Arbitrary Power, they put themselves into a state of war with the People, who are thereupon absolved from any farther obedience, and are left to the common refuge, which God hath provided for all Men, against Force and Violence. When-so-ever therefore the Legislative shall transgress this fundamental Rule of Society: and either by Ambition, Fear, Folly or Corruption, endeavour to grasp themselves, or put into the hands of any other an Absolute Power over the Lives, Liberties, and Estates of the People; by this breach of Trust they forfeit the Power.⁷⁶

If then, the government breaks the contract, the people have a moral right to change the system by any means at their disposal.

Locke has been unjustly accused of being willing to disrupt the entire society in order to redress an individual grievance.⁷⁷

Locke set requirements for the conditions that would be necessary in order to overthrow a government. As long as the government continued to answer to the law, it could not be overthrown;⁷⁸ for through the use of the law, the people could receive justice.

Even if the law is imperfect and only a few people receive injustice, the government still should not be overthrown. Only when illegal acts on the part of the government threatened all the people, did they have a right to overthrow the government.⁷⁹

Once the old government was gone, its powers reverted back to the community. Locke said once the individuals in the state

76. Locke, Two Treatises, p. 430.

77. Ibid., p. 299.

78. Locke did not say an entire society could be disrupted for the sake of one individual grievance.

79. Ibid., pp. 421-422.

of nature gave up their powers, they could never get them back. The community, then, held the power until a majority decided on a new government.⁸⁰ It never occurred to Locke that the majority of people could also be tyrannical against the minority. He assumed that the preservation of common goals and the protection of private rights are the same thing. Locke has been accused more recently of being too authoritarian. It is said that he advocated an extreme majority rule that no individual could ever accept.⁸¹

On the other hand, Locke has also been accused of being too individualistic and too Hobbesian. Locke was said to follow in Hobbes's hedonistic footsteps as exemplified by his theory of property. Locke's man in the state of nature and in civil society was still only looking for his own good. Like the Epicureans, he sought his own pleasure and avoided his own pain.⁸²

All of this modern criticism, however justified, does not diminish Locke and his effect on the western world. Locke's ideas had wide ranging results in America and France where they encouraged re-examination of the purpose of government, which led to revolution. His analysis of government made it appear possible to govern along rational lines. This aided in the development of law by constitutional methods rather than by absolute ideas. Perhaps most importantly, his ideas were used

80. Ibid., pp. 445-446.

81. Sabine, History of Theory, pp. 529, 533. Monson, "Locke and His Interpreters," p. 126.

82. Ibid., p. 120. Gough, Locke's Philosophy, p. 10.

by Hume and the Utilitarians who although destroying Locke's political philosophy, proposed programs which "continued the same idealization of individual rights, the same belief in liberalism as a panacea for political ills, the same tenderness for the rights of property, and the same conviction that public interests must be conceived in terms of private well-being".⁸³

83. Sabine, History of Theory, p. 540.

JEAN JACQUES ROUSSEAU

Start

Rousseau has been variously applauded or denounced as the founder of the romantic movement in literature, as the intellectual father of the French Revolution, as a passionate defender of individual freedom and private property, as a Socialist, as a collectivist totalitarian, as a superb critic of the social order, and as a silly pernicious utopian.¹

Rousseau was a philosopher and an enemy of philosophy, a rationalist and a romantic, a sensualist and a puritan, an apologist for religion who attacked dogma and denied original sin, an admirer of the natural and uninhibited and the author of an absolutist theory of the state.²

Jean Jacques Rousseau is the most controversial philosopher in the western world. He has been the subject of extensive analysis and yet historians seldom agree upon an interpretation of his philosophy. Like Locke, he has had his periods of popularity and disrepute. Like Hobbes, he was both accepted and rejected by those in positions of power. Yet, Rousseau's thoughts have been twisted to serve the practical and intellectual purposes of his critics to a much greater degree than those of the other two men.

Disheartening as it might be for a philosopher to have his ideas misinterpreted, it is much more so for him to have his philosophy widely considered inconsistent, confused and worthless. Neither Hobbes nor Locke ever had to answer to such criticism. ↙

1. The McGraw Hill Encyclopedia of World Biography, 1973 ed., s.v., "Rousseau".

2. Plamenatz, Man and Society, p. 364.

But almost every book written on Rousseau remarks on his paradoxes, his misuse of terms and his utter inconsistency: Rousseau had no method in his writing and was too overcome by romantic emotionalism to be of any worth;³ it is impossible to find any real core to his thought;⁴ his verbal definitions make his points valueless and meaningless;⁵ Rousseau overstated and vacillated and left no unity in his work.⁶ *stop go to pg 75*

Many of Rousseau's critics made these statements after analyzing only one of his major works. They did not attempt to integrate all of his works; they looked only at his political philosophy and they did not consider his personal life important to their understanding of his thought. Their methods might have been acceptable had Rousseau not been such an extraordinary man. But many of these historians have seen only what served to support their thesis and disregarded or called worthless any conflicting information. Their worst mistake was in disregarding Rousseau himself, for he claimed in his Confessions that his philosophy as a whole, was consistent and coherent: "All that

3. Irving Babbitt, Rousseau and Romanticism (Boston: Houghton Mufflin, Inc., 1919), pp. x-xi, 364.

4. Ernst Cassirer, The Question of Jean Jacques Rousseau, trans. and ed. Peter Gay (Bloomington, Indiana: Indiana University Press, 1963), p. 9. Also see Sir Ernest Barber's introduction to The Social Contract.

5. John Morley, Rousseau (London: MacMillan and Company, 1910), pp. 122, 138.

6. C. E. Vaughan, The Political Writings of Jean Jacques Rousseau, (New York: Lenox Hill, 1915), pp. 57, 73, 79-80, 112, 115-117.

is daring in the Contract Social had previously appeared in the Discours sur l'ingéliberté; all that is daring in Emile had previously appeared in Julie." "One great principle" was evident in all of his books.⁷ Rousseau's critics failed to look for the "one great principle" that could be found in each of his works. They chose instead to look for one principle, the one they wanted to find, and once they found it, they stopped searching and analyzing. A new and accurate biography and analysis of Rousseau is needed, "a work that will do evenhanded justice to all the dimensions of his life, his thought, his times, and his importance. When that biography is written, it will be psychological speculation."⁸

Rousseau's philosophy is difficult, on that there is no disagreement, but it is consistent and of lasting significance. It is however, more difficult to understand without examining Rousseau as a man.

Jean Jacques Rousseau was born in Geneva in 1712, the son of a watchmaker. His mother died within a few days as a result of complications during his birth. The psychological effect of being motherless was very great for Rousseau and this seemed to be the beginning of his feeling of not "belonging".⁹ He said that his birth was the first of his misfortunes.¹⁰

7. Cassirer, Question, p. 3.

8. Ibid., p. vi. Peter Gay's preface.

9. J. Bronowski and Bruce Mazlish, The Western Intellectual Tradition from Leonardo to Hegel (New York: Harper and Brothers, 1960), p. 281.

10. The Encyclopedia Americana, 1976 ed., s.v. "Rousseau", by Christian Gauss.

For ten years Rousseau lived with his father, who wanted to be a dance master in Geneva where dancing was forbidden by law. Rousseau's father read to him from Plutarch, Tacitus and Grotius and he was considered to be the "best of fathers". When the elder Rousseau wounded a man during a quarrel in 1722, he fled Geneva leaving young Rousseau with relatives.¹¹ Rousseau had no formal education, except for his father's readings. His uncle, thinking him to be worthless, apprenticed him to an engraver. At 16, Rousseau found himself, after a late walk, locked out of the city, and remembering previous beatings from his master for being late, he simply walked away from home and relatives and set out on his own.

Possibly in an attempt to get food and lodging, Rousseau decided to convert to Catholicism. Catholics living outside Geneva were always anxious to receive a convert from Calvinism and he was taken to the home of Madame de Warens, a woman who helped converts. She sent him to Turin with a holy beggar whom he abandoned when the man had an attack of epilepsy. For a while Rousseau was the welcomed guest of a shopkeeper's wife until her husband returned. Rousseau held many jobs including footman and secretary. He finally returned to Madame de Warens's house and lived with her until he was about twenty-five. She

11. Rousseau's biographical information is easy to obtain since he wrote two autobiographical works Confessions and Rousseau, joy de Jean Jacques. Most of the information used in this paper however was taken from Chambers Biographical Dictionary, previously cited and McGraw-Hill Encyclopedia also previously cited.

was older than he and an obvious mother substitute. He called her "mama" and she called him "my son". While living with her, he joined the choir school and learned to copy music which he later used to support himself. Rousseau's relationship with de Warens turned from maternal to sexual and although Rousseau said he felt that he was committing incest, he stayed on with her for several more years until she took another lover. This was only the first of many relationships Rousseau would have with older women.

In 1741, Rousseau went to Paris where he supported himself by copying music. He submitted to the Academy of Sciences a new system of musical notation but they refused it for lack of originality. For a year he served as secretary to an ambassador to Venice. This proved to be a very unhappy experience for him and he returned to Paris in 1744.

This second stay in Paris was the beginning of the first major period in Rousseau's adult life.¹² He had the aspirations to become a philosopher and a man of letters. He wrote some mildly successful operas that were performed in Paris and through these he began a correspondence with Voltaire and became friends with Diderot, for whom he wrote articles for the Encyclopaedia on music and opera. At the same time, he started a life long affair with Theresa Le Vasseur, an ignorant, unattractive maid at his hotel.

12. The three major periods were 1744-1750, 1750-1762, and 1762-1778. McGraw-Hill, p. 298.

Through his friendship with Diderot, Rousseau became a temporary if somewhat eccentric member of the philosophes and attended the most frequented salons. He never thought, however, that he could fit into that society.¹³ He felt clumsy and boorish and unable to think of witty remarks until long past the time they were needed. Voltaire and the Encyclopedists had created the society of the salon, which reflected their capabilities and skills. Rousseau was not a product of that society and he could never be a member of it. He was also shocked by the sinfulness of salon life even though he was living with Vasseur and had numerous affairs. He believed he was basically a good man who suffered moral lapses only when he lost self-control. The Encyclopedists, he came to realize, were deeply corrupted men; they had given in to the unnatural French society. He could not accept them because he could not understand them, and they in turn, could not accept or understand him.

He brought, it is true, a romantic insincerity even more distasteful to later generations than the polished show of the cultured salon. But he also brought something that was simple, and something that was genuine. His roots were deep, alive in a country soil whilst his contemporaries sought an easy popularity by exploiting a dead tradition. His personal relationships might be usually destructive, and always a little ridiculous, but their failure only brought into relief the hidden desire of most men and women for a deeper and more sincere relationship.¹⁴

While he was still in good graces, an event occurred which seemed to be a turning point in his philosophy and life. On his

13. Cassirer, Question, p. 70.

14. Martin, French Thought, p. 113.

way to visit Diderot, who was temporarily in prison, he read an advertisement for an essay contest conducted by the Academy of Dijon. A prize would be given to the winning essay on the topic "Has the progress of the arts and sciences tended to the purification or to the corruption of morality?" "The instant I read it, I saw another universe and I became another man".¹⁵ He went on to give a detailed description of his frenzied reactions, an account totally emotional in appeal even though it was written many years after the occurrence.

The result was Rousseau's Discourse on the Moral Effects of the Arts and Sciences, which won the price in 1750. It has been called "the most important challenge to science since the Inquisition's sentence of Galileo in 1633".¹⁶

The revelation Rousseau experienced while reading about the contest was the catalyst for his philosophy; the Discourse was his first effort to place his theory into words. He spent the rest of his life explaining and expanding his theory that man is good and society makes him bad. But only through society can man gain salvation, since man cannot return to his natural state. In order for society to save man, it must be reformed. Reforming society is possible and desirable. Rousseau was more than willing to offer suggestions that would accomplish the needed reform.¹⁷

15. Bronowski and Mazlish, Western Tradition, p. 283.

16. Ibid., p. 284.

17. Peter Gay, The Party of Humanity (New York: The Norton Library, 1971), pp. 259-260.

The Discourse introduced Rousseau's theory by saying that man is good. The evil experienced today in man is not a result of original sin, as the Catholics would say; nor is God the originator of evil so that He can use His grace to save him, as the Calvinists would say. Evil comes as a result of society. Based on the arts and sciences, society had corrupted man and caused his evil. As the arts and sciences increased, so did the evil and corruption. He maintained that he was not attacking the arts and sciences but defending virtue. Virtue was more important than luxury and art, and morality was more important than knowledge. Since the arts and sciences were a corrupting influence, they could not be left free to develop at their own pace. Man's virtue and morality had to be protected and so the arts and sciences had to be subordinate to the moral needs of man in society. Scientific and technological developments could never improve man, the only way he could improve was by rediscovering himself. Society had hidden him from himself.¹⁸

The Discourse was important, first of all because it freed the problem of evil from theology, just as Machiavelli had freed politics and Galileo science.¹⁹ By doing this, Rousseau held out the hope that man could overcome his evil and perfect himself. In later works Rousseau enlarged on the theory of the perfectability of man. Rousseau would later again maintain that he did

18. Bronowski and Mazlish, Western Tradition, pp. 283-286.

19. *Ibid.*, p. 285.

not want to destroy the arts and sciences or the existing social institutions. If they were destroyed, the sin and evil would still remain, and at least these institutions helped to moderate the vice. Rousseau wanted to replace the present institutions, which had been set up by whim as the times had dictated, with a national state placed on solid ground.²⁰ This he discussed in his later works.

Although Rousseau won the first prize, his Discourse was not a popular choice. More than sixty criticisms were written about his work, refuting all his major points.²¹ Some of the Encyclopaedists saw already that Rousseau was making a direct attack on them. They were dedicating their lives to the advancement of knowledge, but Rousseau said they were a corrupting influence on man.

Up to this point in Rousseau's life, he had achieved some acceptance as a musician and philosopher; he had powerful and influential friends and he enjoyed success and notoriety. Madame Louise d'Epinau gave Rousseau and Thérésa the use of a cottage on her estate at Montmorenay and thus became Rousseau's patron. But all did not go well for him.

Rousseau fell in love with Contesse d'Houdetat, who was his patron's sister-in-law. Houdetat was married to a dullard but was also the mistress of the charming Marquis Saint-Lambert.

20. Ernst Cassirer, The Philosophy of the Enlightenment (Boston: Beacon Press, 1955), p. 272.

21. McGraw-Hill, p. 299.

Rousseau was no match for his charms and although he was deeply devoted to Houdetat, the affair was never consummated. It would appear that Houdetat pitied Rousseau and wished to "mother" him. Epinay meddled in the Houdetat-Rousseau relationship and ultimately involved Diderot. Rousseau was ashamed and insulted by all three and left Montmorency in 1757. Having lost his patron, Rousseau had to support Thérèse and himself.²²

Rousseau's dispondence over his unrequited love seemed to be the climax of a growing feeling that had been developing since he wrote What is the Origin of Inequality Among Men and is it authorized by Natural Law? in 1754. Not only was Rousseau looking for the origin of inequality, but more importantly, following Machiavelli's instructions, he was determined to discover the true nature of man, and perhaps the true nature of himself.

Rousseau began his Origin of Inequality by saying that before it could be decided whether or not man was unequal by nature, it must first be decided what natural man was. We must know man for himself before any outside influences. Rousseau said the subject of his discourse was:

To mark, in the progress of things, the moment at which right took the place of violence and nature became subject to law, and to explain by what sequence of miracles the strong came to submit to serve the weak,

22. Ibid., p. 300.

23. Jean Jacques Rousseau, What is the Origin of Inequality Among Men, and is it authorized by Natural Law?, ed. Robert Maynard Hutchins (Chicago: Encyclopedia Britannica, Inc., 1952), p. 331.

and the people to purchase imaginary repose at the expense of real felicity.²⁴

Start

Rousseau started with man in the state of nature and traced his development through to the formation of society. He followed in the tradition of Hobbes and Locke, but he saw man's socialization process more clearly than either of them and though he also used their methods, his conclusions were radically different. The state of nature was no longer a fresh approach, but Rousseau used it and concluded fresh ideas.

There has been some controversy over whether or not Rousseau actually believed in a state of nature. Some historians claim that he consistently did support an actual state of nature,²⁵ while others point to the few examples where he implied it was merely a tool.²⁶ Rousseau believed that man was good, and since he also believed that society was evil, it would have been impossible for man ever to have been good if he had not at one time lived outside of society. In those loose terms, then, Rousseau did believe in a state of nature if it can be simply defined as a period of time when man existed without any societal rules or laws.

There is no doubt, however, about the way Rousseau viewed natural man. On this point, he was consistent and clear. Man in the state of nature was strong, cunning and unafraid. His strength came as a result first of his ability to survive infancy

24. Ibid., p. 333.

25. H.U.S. Ogden, "The Decline of Lockien Political Theory," The American Historical Review 46 (October 1940): 23. Plamenatz, Man and Society, p. 365.

26. Cassier, Philosophy of Enlightenment, p. 529.

and his exposure to the elements. Without the benefits of modern medicine, he developed physically. He learned early how to survive, finding shelter and food to serve his basic needs. Rousseau strongly disagreed with Hobbes, who said the guiding force of natural man was fear. Rousseau said that natural man learned to take care of himself, he found he could survive in contests with wild beasts. There was nothing for him to be afraid of.²⁷ *but pain and hunger*

Savage or natural man began with only animal functions - seeing and feeling. Out of these animal functions grew passions or desires. As savage man discovered things he liked, he wanted more; as he experienced things he didn't like, he wanted to avoid them. Moralists have constantly condemned the passions of man; Rousseau said that man's passion improved his reasoning facilities; for he had to gain knowledge in order to fulfill his desire. The more a man desired, the greater his reasoning skills must be developed. Savage man, however, had very limited reasoning skills and his passions did not go beyond his physical needs for food, sex and sleep. His only fears were pain and hunger - not death as Hobbes said because savage man could never have understood the idea of death.²⁸

Man in the state of nature had no moral relationships, he was neither good nor bad. Hobbes taught that man did not know what was good, and that out of his fear of his own death, he was

27. Rousseau, Origin of Inequality, pp. 335-336.

28. Ibid., pp. 338-339.

constantly aggressive. Rousseau said Hobbes saw natural man as a robust child who fights and always grabs what he wants. Rousseau disagreed with the conclusion of Hobbes's analogy. Savage man was like a robust child, strong and independent, ^{for} ~~It was because~~ he was strong that he could be independent, fearing no one. It is only when men are weak and dependent on others that they are aggressive. Hobbes saw natural man as committing evil and aggressive acts because he was constantly afraid. Rousseau claimed savage man had no need to fear because he was strong and independent of others.²⁹

Rousseau argued that Hobbes was wrong about man's natural aggression for another reason. ^{Natural} Savage man had a ^{Propensity} natural tendency to compassion.

Which is a disposition suitable to creatures so weak and subject to so many evils as we certainly are: by so much the more universal and useful to man-kind, as it comes before any kind of reflection, and at the same time so natural, that the very brutes themselves sometimes give evident proofs of it. Not to mention the tenderness of mothers for their off-spring and the perils they encounter to save them from danger, it is well known that horses show a reluctance to trample on living bodies. One animal never passes by the dead body of another of its species: there are even some which give their fellows a sort of burial, while the mournful lowings of the cattle when they enter the slaughter-house show the impressions made on them by the horrible spectacle which meets them.³⁰

Rousseau identified compassion as man's only natural moral quality, a quality he maintained was also held by animals. Since man was naturally compassionate, he, without thinking, came to the aid of

29. Ibid., p. 343.

30. Ibid., p. 344.

others and without thinking, did not unnecessarily attack them.

Rousseau realized that many people would say that it was possible for savage man to meet the basic physical needs of food and sleep and shelter without ever coming in contact with the other men; but that emotional conflict would surely arise from the physical need of sex, a need which Rousseau had previously admitted was a basic drive. Rousseau maintained that the passion for sex did not cause trouble in the state of nature. There are two parts of love, the purely physical part which merely desires a union and the moral part which desires a specific person. The moral part can only be found in society where the ideals of beauty and merit originated and where women exploit this feeling by flirtation and cleverness. When the moral part of love is allowed to build up and passions increase, the outcome can be violent.³¹ Savage man had only to satisfy his passions for physical love. His physical need was immediately gratified without any delay or game playing. Since his desires were not allowed to build up, there could be no conflict and therefore no violence.³²

Rousseau, in eloquent terms, summarized his savage:

Let us conclude then that man in a state of nature, wandering up and down the forests, without industry, without speech, and without home, an equal stranger to war and to all ties, neither standing in need of his fellow-creatures nor having any desire to hurt them, and perhaps even not distinguishing them one

31. Rousseau attacked the women of the salon as strongly as he previously attacked the men. In doing so, he displayed his own obsession with sex but at the same time his inability to satisfy his desires.

32. Rousseau, Origin of Inequality, p. 346.

from another, let us conclude that, being self-sufficient and subject to so few passions, he could have no feelings or knowledge about such as befitted his situation, that he felt only his actual necessities, and disregarded everything he did not think himself immediately concerned to notice, and that his understanding made no greater progress than his vanity. If by accident he made any discovery, he was the less able to communicate it to others, as he did not know even his own children. Every art would necessarily perish with its inventor, where there was no kind of education among men, and generations succeeded generations without the least advance; when, all setting out from the same point, centuries must have elapsed in the barbarism of the first ages; when the race was already old, and man remained a child.³³

Savage man did not need other men. There could be no slavery, the weak did not need the strong and neither did the strong need the weak. In the state of nature there could be no inequality. Rousseau described two kinds of inequality: natural or physical and moral or political. Natural or physical inequality was a difference in age, health, strength and mind. Since savage man had few contacts with his fellow men, there was little opportunity for these differences to be observed and even, if observed, they made no difference since men were not in competition with each other. Moral or political inequality involved differences of wealth, honor, power or position. These inequalities could only be found in society where the concepts of wealth, honor, power and position existed.³⁴ Inequality, then, was not found originally in the state of nature. Rousseau had to look for it elsewhere.

Rousseau conceded that man could have risen above the state

33. Ibid., pp. 346 - 347.

34. Ibid., pp. 333, 347.

of nature in many ways. He wanted to show the "accidents" that had made man wicked and sociable. The major "accident" that led to the socialization of man was the increase of the human race. As the number of people grew, so did the cares of man. The passion to survive became more difficult to satisfy; food was harder to obtain, some had to live on barren land, the sea had to be utilized. To survive man had to develop skills.³⁵

Although man started out with only animal functions, he alone of the animals had the ability to self-improve and regulate his own affairs. Had he not had these powers, he would have spent his life in peace and innocence not far removed from the animals.³⁶ As time went on, man realized that he needed others to help him develop and to utilize his skills. Men first joined together to hunt and later to accomplish other tasks, such as fishing and making clothes.³⁷ Man joined with his fellow men willingly, not because he was forced to. Nature laid demands on all animals but only man knew he had the liberty to obey or disobey.³⁸ Although survival required that men join together, some must have chosen not to and therefore perished.

As men joined together it was necessary to communicate with each other and language slowly developed. At first it was mainly used by children in order that they could communicate with their

35. Ibid., p. 349.

36. Ibid., p. 338. Rousseau is nostalgic over the loss of peaceful, innocent but brutish man.

37. Ibid., p. 349.

38. Ibid., p. 338.

mother. The development of language was from the particular to the general.³⁹ But Rousseau did not see language development as important a step as did Hobbes.⁴⁰

The development of pride was a big step for Rousseau's socializing man. Man obtained pride when he realized that he could master the animals either by his own strength or his cunning. The first time he looked at himself, he felt the emotion of pride.⁴¹ Rousseau disagreed again with Hobbes, who believed that pride was a natural instinct of man. Rousseau thought it an artificial emotion, developed only as man began his socialization process. The differences between Hobbes and Rousseau went further than just a discussion of pride; pride led them into a discussion of war.

Hobbes said fear caused man to strive in order to achieve a reputation of power. As a result of his reputation, man developed pride and from that self pride, came the competition that caused war.

↑ Some paragraph
 War existed then in the state of nature and pride was to blame. Rousseau did not believe that war existed in the state of nature. War developed as a result of property ownership, not pride.⁴²

39. Ibid., pp. 340, 342.

40. Since Hobbes believed language to be the basis of reason whereas Rousseau saw passions as the basis of reasoning.

41. Rousseau, Origin of Inequality, p. 349.

42. Jean Jacques Rousseau, The Social Contract, trans. and introduction, Maurice Cranston (Harmondsworth, England: Penquin Books, 1968), p. 33. John B. Noone Jr., "Rousseau's Theory of Natural Law as Conditional," The Journal of the History of Ideas 33 (January 1972): 24.

One of Rousseau's most well known statements dealt with the subject of property. Although Rousseau spent a great deal of time re-examining and explaining his theory of property, it is still widely misunderstood. "The first man who, having enclosed a piece of ground, bethought himself of saying 'This is mine', and found people simple enough to believe him, was the real founder of civil society".⁴³ Rousseau believed that property probably began when a strong man built a hut and a weaker man followed his example. The huts provided a home for the families to live together. Each family formed a little society. In this way Rousseau agreed with Locke that the first society was organized around the family. When the family began to live together, the sexes started splitting roles that had previously not existed.⁴⁴

Families began living closer together and, as a result, communities developed. Community action gave each man more leisure time. Since his basic physical desires had already been met, the leisure time led to an increase of his desires and began man's tendency to accumulate material things.⁴⁵

As men came to live together they became more aware of each other, aware of the superiority of some over the others. The superiority existed whether it was by strength, appearance, eloquence or possessions. The awareness of superiority was the

43. Rousseau, Origin of Inequality, p. 348.

44. Ibid., p. 350.

45. Ibid.

first inequality that man experienced.⁴⁶ This inequality was impossible in man's state of nature because in nature he had only himself. He fulfilled only the desires that he felt from within himself. In the socialization state, man judged his own desires by comparing himself to someone else. When he saw someone whom he judged superior to himself, his desires became greater. His desires were not internal but external desires. Those desires made him realize the inequality of men.

This development of language, property, community, pride and inequality did not exist in the state of nature. For the state of nature had already been left behind by man. Rousseau explained, while man had already left behind the state of nature, he had not yet created a modern state. It was ^{would be known} the stage reached by most ~~savage nations known to his age such~~ ^{stage the} as the American Indians. ^{had reached} Rousseau considered this stage to be the happiest time for man; it was unfortunate that he could not have remained there. In this stage man did most of his own work, he was still relatively free and independent, he could give his own punishments for injuries he had received, and yet, he could live with other people and enjoy their companionship when he wanted.⁴⁷

Rousseau believed that if society could have continued in this way, the history and life of mankind would have developed along these lines.

Men came together in the first place because it was for some reason necessary for them to help one

46. Ibid., p. 351.

47. Ibid., pp. 351 - 352.

another to satisfy needs which each man could no longer satisfy for himself, they then found that they could not work together unless each of them acted on the assumption that the needs of others were as important to them as his to himself; this co-operation became in time a habit and men learnt to consider the conditions of it...as enjoined upon them, not by maxims of prudence, but by rules of right; and at last, since no great inequalities emerged among them,...they learnt to prefer justice to the private ends it originally served. They became lovers of virtue, making a difference between the desires and emotions that helped them to live as they wanted to live...and all their other passions. Their general preference for some over others among their passions caused them in time to feel thwarted by the passions which prevented their living as seemed good to them or becoming what they wanted to be; and so it became natural to them to consider the laws that maintained justice, because they satisfied those of their aspirations they valued most, as somehow more truly in accordance with their wills than the temptations to injustice they were sometimes liable to.⁴⁸

This method of development did not occur. Society moved along in other ways, "accidental" ways as Rousseau would say. These accidental ways led to inequality and unhappiness for civilized man.

The accident that changed society from what Rousseau saw as ideal to modern society was the development of metallurgy and agriculture. As these industries grew, so did the recognition of inequality in skills and inequality in property ownership.⁴⁹

Some people, through their skill and cunning, gained more property than others and became the rich. The rich were the ones who decided laws were needed to protect their property.⁵⁰ Hobbes

48. Plamenatz, Man and Society, p. 408.

49. Rousseau, Origin of Inequality, pp. 352-353.

50. *Ibid.*, p. 355.

was wrong, laws were not the result of men who wanted security for their lives but the result of men who wanted security for their property.

The rich were in the minority, however, and needed the support of the poor majority to set up laws. The rich made allies of the poor by promising them that the laws would work for the poor as well, establishing justice and equality. Society, then, was founded on fraud since the rich never intended to make laws which would protect the poor but only laws which would protect their own property and superiority.⁵¹

The poor gave up their freedom, not as Locke said, out of choice, nor as Hobbes implied, out of conquest; but because they were deluded into thinking they would gain more freedom. Rousseau believed that man would never willingly give up freedom, and especially not a poor man, because this was all he had of value. A man who knew freedom would do anything to keep it.⁵²

That is why Rousseau said that when men finally came together to make a contract and form a government they did not intend to give to the government any arbitrary power. Locke was right, the "fundamental maxim of all political right is that people have set up chiefs to protect their liberty and not to enslave them". But unlike Locke's contract, Rousseau's was not an agreement between people to give up their right to govern

51. Martin, French Thought, p. 239.

52. Rousseau, Origin of Inequality, pp. 355-356, 358.

themselves, but an agreement to cooperate and "concentrate all their wills in one".⁵³

The government, ~~however~~, did not protect the liberties of the people; it enslaved them. Inequality progressed, laws were written to establish property rights, magistrates were appointed and legitimate power became arbitrary power. As inequality grew, the society divided all between rich and poor, powerful and weak, master and slave.⁵⁴

Rousseau concluded his Origins of Inequality by answering his original questions. Inequality is not authorized by natural law because no inequality existed in the state of nature. All inequalities were a result of the advanced human mind and made permanent by law and property. Since moral inequality was not based on natural right it had no legitimacy for existing.⁵⁵

Rousseau's natural man was quite different from either Hobbes's or Locke's conceptions. Hobbes's natural man could hardly be classified as a man, he was more of a brute; Locke's natural man was little better, but he was an improvement. Rousseau's natural man was a satisfied man, much better off than civilized man, morally, materially and physically. Unfortunately, Rousseau admitted, we cannot go back. We have to try to make the best of what we have and offer change where we can. Rousseau

53. Ibid., pp. 356, 358. Martin, French Thought, p. 207.

54. Rousseau, Origins of Inequality, p. 359.

55. Ibid., p. 363.

still held out hope for a few unblemished souls.

O you, who have never heard the voice of heaven, who think man destined only to live this little life and die in peace; you, who can resign in the midst of populous cities your fatal acquisitions, your restless spirits, your corrupt hearts and endless desires; resume, since it depends entirely on ourselves, your ancient and primitive innocence: retire to the woods, there to lose the sight and remembrance of the crimes of your contemporaries; and be not apprehensive of degrading your species, by renouncing its advances in order to renounce its vices.⁵⁶

Although Rousseau had considered himself as one of the majority who must continue to live in society, in 1757 he attempted to "reform" himself. He abandoned his patron, his friends and society as a whole and moved as close to the woods as possible. Although this second major period⁵⁷ in his life was successful, as far as his writing and fame was concerned, it was not a personally satisfying existence for Rousseau. He became a wanderer, a man without a home moving from France back to Geneva in an attempt to recapture his Calvinistic heritage. He moved to Luxembourg for a brief time and back to France again where he was forced to flee out of fear for his life. As he began to meet with criticism from his old friends and condemnation from the government, he seemed to lose control of himself and became a man obsessed with the necessity of justifying his ideas. This is not a pleasant period in which to view Rousseau and yet, it is a revealing period.

Rousseau suffered from fits of delusion during which he

56. Ibid., p. 366.

57. 1750 - 1762.

believed that everyone was his enemy, even those who tried to help him. He believed people collaborated against him and he made many false and unfair accusations.⁵⁸

There were many people who criticised and hated Rousseau, not just the Paris parlement and the Catholic church, but his former friends as well.

Voltaire and the Encyclopaedists thought him small-minded; they were offended as much by his being the sort of man he was as by his actions, and they spoke of him contemptuously. They brought out the worst in him, and their ability to do this was as much his fault as theirs. He was vain and resentful, but he was also - and this they did not see - a man who aspired to goodness and who was as profoundly dissatisfied with himself as with the world...He was deeply unhappy, not because he was small-minded, resentful and vain, but because he was not what he wanted to be and could not, for all his protestations, persuade himself that he was...

If others brought out the worst in him, he too brought out the worst in them. There is nothing more spiteful and petty in the lives of Diderot and Voltaire than their treatment of Rousseau. They were men of the world, as he was not; they were clever, brilliant and self-confident, and he was not; they were better able to make him look foolish than he them. He was something of a boor, as they were not...Envious though Rousseau was, the fact remains that he had talents as great as any that he envied. If he was a moralist, so too, in their different ways, were Voltaire and the Encyclopaedists; and of all the moralists of his age, he was the most eloquent and the most profound. He was accused of plagiarism, rhetoric, and sophistry by writers who had less to say that was new and exciting than he had.⁵⁹

Rousseau through all the attacks remained loyal to his ideas. No matter how he personally hated individuals, he still believed in the good of man. Perhaps he clung to the goodness

58. Cassier, Question, p. 91.

59. Plamenatz, Man and Society, p. 439.

of man to escape his innate fear that he was bad, for by blaming society for his own personal evil he could free himself from condemnation.⁶⁰ He also remained true to his ideas in his attempt to reform himself by returning to the woods; but instead of liberation from society, he drove himself to self-destruction.⁶¹ Although he was less sane and controlled than his critics, he was the better philosopher. "Voltaire and the Encyclopaedists led their generation by expressing clearly what men were already beginning to think dimly: Rousseau changed his age by so describing old things so that they became new".⁶²

Most of Rousseau's external problems began in 1762 with the publication of The Social Contract and Emile. Up to this point Rousseau had not offended many people. His Discourse had been original and therefore popular. His Origins of Inequality was a discussion of a far-removed savage man; even his fiction La Nouvelle Héloïse, published in 1761, had been a sentimental novel on the best selling list in France. But The Social Contract and Emile made him powerful enemies.

The Social Contract was a continuation of the theories that Rousseau had been explaining since The Discourse. He explained in the Origins of Inequality the character of savage man. He proved that inequalities did not exist in the state of nature. Society and governments were at fault for the corruption of man.

60. Sabine, History of Theory, p. 576.

61. Cassier, Question, p. 95.

62. Martin, French Thought, p. 115.

Governments, using their power in an arbitrary fashion, had not protected the people; they merely supported the inequalities that existed. Man had been born free but everywhere he was in chains.⁶³ Rousseau asked if a legitimate government could be made for men as they were at that time, since men could not return to their happier state.⁶⁴ Hobbes wanted the social contract to bring stability to a chaotic world. Locke used the social contract to defend property and to allow for a constitutional rule. Rousseau wanted the social contract to bring legitimacy to government⁶⁵ and to serve as a link between the state of nature and a more ideal state. In The Social Contract he expressed his ideas about the ideal state.

Rousseau began his work by restating some of his basic points from the Origin of Inequality. There was no natural superiority of men over other men. Although some men were stronger in the state of nature, they did not have the right to control others.⁶⁶ Conquest was not a legitimate cause for government. But neither did people come together to form a government because they feared the insecurity of war and anarchy. Rousseau said people came together to make a contract and form a community because,

I suppose men to have reached the point at which the obstacles in the way of their preservation in the state

63. Jean Jacques Rousseau, The Social Contract or Principles of Political Right, ed. Robert Maynard Hutchins (Chicago: Encyclopedia Britannica, Inc., 1952), p. 387.

64. Ibid.

65. Levin, "Uses of Social Contract Method," p. 528.

66. Rousseau, Social Contract, pp. 388-389.

of nature show their power of resistance to be greater than the resources at the disposal of each individual for his maintenance in that state. That primitive condition can then subsist no longer; and the human race would perish unless it changed its manner of existence.⁶⁷

Men agreed to unite because they realized they needed each other.

The problem was to find an association which protected each person with common force but still allowed each to be free.⁶⁸

The solution to this problem was the social contract. Some critics of Rousseau have said that the term social contract is misleading and out of place in his philosophy. They say that the term was used by Hobbes and Locke to describe political obligation but that Rousseau did not describe obligations.⁶⁹ Others say Rousseau was not really talking about a contract, which is an agreement between people who don't trust each other. They say he should have used the Old Testament term covenant which is an agreement between people who do trust each other.⁷⁰

Rousseau described the social contract as the total alienation of each person's rights to the whole community. By this act, all men became equal; by giving themselves to all, they gave themselves to no one. Each man put all his power in common with all others and this power was held in common by the general will.⁷¹

67. Ibid., p. 391.

68. Ibid.

69. Plamenatz, Man and Society, p. 371.

70. Lester G. Crocker, Rousseau's Social Contract: An Interpretive Essay (Cleveland, Ohio: Press of Case Western Reserve University, 1968), p. 60.

71. Rousseau, Social Contract, pp. 391-392.

Rousseau was in agreement with Hobbes; when entering the social contract, each man lost his natural liberty. Unlike Hobbes, however, Rousseau said that once in society, man got civil liberty in return.⁷²

Rousseau has been severely criticised for maintaining that man in his ideal society would have liberty. Many historians have said Rousseau's general will was just a cover for a totalitarian government and that Rousseau's "authoritarian personality" was clearly exposed in The Social Contract.⁷³ But the men in Rousseau's ideal state would have freedom. Freedom was not merely being able to satisfy all desires. Freedom to a moral and rational man was being able to live well by his own standards. Man cared for freedom not because he was an animal serving his passions but because he was a moral man striving for excellence. He knew the type of person he wanted to be and he was freer when he had the opportunity to be that person.⁷⁴ In the state of nature man had been free because his life had been arbitrary. But man, when he became socialized, rational and moral, didn't want to live under arbitrariness any more. Freedom was the elimination of arbitrariness and the setting up of rules for himself.⁷⁵ These

72. Ibid., p. 393. Rousseau, Social Contract, ed. Cranston, p. 33.

73. J. L. Talmon, The Origins of Totalitarian Democracy (New York: Frederick A. Praeger, 1960), pp. 35-49. Crocker, Rousseau's Contract, p. 36. Eugene J. Roesch, The Totalitarian Threat (New York: Philosophical Library, 1963), p. xvi.

74. Plamenatz, Man and Society, p. 440.

75. Cassier, Question, p. 55.

rules that man chose helped him to rediscover himself. They did not make him a natural man again but they did make him a good man.

The guiding force in helping man maintain his moral self was the general will. Rousseau said that the people were never corrupted but they could sometimes be deceived.⁷⁶ Because they could be deceived, they would sometimes make wrong decisions. The general will acted as a guide to keep the people from losing their freedom by making wrong decisions, that would deprive them of the excellence they wanted. The general will was basically what the people who agreed on the social contract had in mind for the general good when they first came together. Only the general will, then, could direct the people toward the common good,⁷⁷ since only the general will embodied the common good. If a man in the society did make a wrong decision, or if his will conflicted with the general will, he would be "forced to be free".⁷⁸ This man, along with the rest of the people, had already decided what was good for their lives, and the general will was directing the movement of society for that good. The man, by trying to go against the general will, was moving against the flow, incapable of making any progress and turning his back on what was best for him. By being forced to turn back around and move with the flow, he was regaining his freedom and his progress toward the good.

Rousseau was in agreement with Hobbes that society needed

76. Rousseau, Social Contract, p. 396.

77. Ibid., p. 395.

78. Ibid., p. 393.

an absolute force. What he didn't agree with was that man had to make a choice between being governed or being free. "The Social Contract may be read as an answer to Hobbes by an author whose mind was stimulated by the brilliance of Hobbes's reasoning, but who could not stomach Hobbes's conclusion".⁷⁹

Since the general will was the flow toward the common good of the people, it could not act in particular but only in general terms of the whole body.⁸⁰ Therefore, something more was needed for the operation of the society.

The people instituted a civil state and made themselves citizens of that state. By setting up the civil state, they lost their liberty in nature, which was bounded by their own strength; but gained liberty bounded by the general will.⁸¹ Prior to the civil state, the people could have no morality since morality could not exist in the state of nature. After the formation of the civil state, the people gained morality and also justice, which was substituted for mere instinct.⁸² The Stoics were wrong, justice was not an intrinsic value.

In order to have justice, some force is needed.⁸³ As in most states this force is the sovereign. But Rousseau defined the

79. Rousseau, Social Contract, ed. Cranston, p. 27.

80. Rousseau, Social Contract, p. 397.

81. Levin, "Uses of Contract," p. 529.

82. Rousseau, Social Contract, p. 393.

83. Rousseau, Origin of Inequality, pp. 358-359.

sovereign in very different terms. When one man joined with other men they created a collective body and shared a common identity, life, and will. That collective body became the sovereign.⁸⁴ Rousseau rejected Hobbes's view of sovereigns, because to Hobbes, sovereign was an individual or a group removed from the collective body. Rousseau said the sovereign must be an extension of the people as a whole.⁸⁵ Unlike Locke, Rousseau said the sovereign did not derive its authority from the consent of the people. The sovereign originated in the people and should remain in the people.⁸⁶

Although the sovereign originated in the people, the sovereign did not make the laws. The laws were made by the legislature, which had to be comprised of people who had superior intelligence and could view, without sharing all the passions of men. The legislature made laws that would fit the society. Each society could have different laws depending on the general will. The laws however should be general laws and not specific. The decision on the specifics of the law including enforcement was in the hands of the executive.⁸⁷

The executive was a part of the government of the civil state. The government was an intermediate body between the citizens and the legislature. It was made up of magistrates and governors who were never a part of the social contract but were

84. Rousseau, Social Contract, p. 392.

85. Noone, "Rousseau's Theory," p. 697.

86. Rousseau, Social Contract, ed. Cranston, p. 30.

87. Rousseau, Social Contract, pp. 400, 402, 399, 406.

simply under a commission. The magistrates were not the citizens' masters but their officers. These magistrates executed the laws and kept the liberties.⁸⁸

The liberties that they were to protect included the right to own property. Locke had been wrong, property ownership was not an inalienable right, it must not be more important than the general will. When men came into the civil state, they brought the property they had been using since they first started joining together in small communities. They had been using this property, but they had not owned it. Rousseau said there were no property rights except in the civil state. The civil states allowed the ownership of property, but it placed conditions of ownership on it. The right to own property had to submit to the general will. The public possession of property took precedent over the private possession. Property could be privately owned if it was not already inhabited and if it was only in the amount needed for subsistence by the owner. It could only be possessed if the owner cultivated it or added his labor to it.⁸⁹

Private property, although it had proven a problem in the past, did not have to stand in the way of the general will. The greatest good was found in liberty and equality for all the people, but equality did not mean an end to differences among people. Even differences in power and wealth could exist. But that power

88. Ibid., pp. 407, 424.

89. Ibid., pp. 393-394. Gough, Locke's Philosophy, p. 90. Martin, French Thought, p. 239.

could never be great enough to cause violence, and no citizen could be wealthy enough to buy another.⁹⁰

Rousseau accepted inequality of property as he did physical inequality. He disagreed with Diderot and others that the civil state should promise equal distribution of happiness. Rousseau only wanted the state to promise equal distribution of rights and duties, while some contemporaries like Helvetius and Diderot advocated utility. Rousseau was not concerned with happiness and utility, "he was concerned with the dignity of man and with the means of securing and realizing it".⁹¹

In order for men to have dignity they must live in a free society of equals which has to meet certain requirements. In a free society, every man was entitled to take part in making decisions which all citizens are required to obey. The people who make the decisions must do so as citizens, not as members of small minority groups. Rousseau wanted to outlaw factions because he said they were only for their own private interests, not the general will.⁹² Rousseau also strongly believed that in a free and equal society, the citizens must make the moral decisions themselves and not choose representatives to do it for them. And finally he believed if a society wanted to stay free and equal it

90. Rousseau, Social Contract, p. 405.

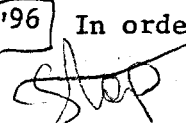
91. Cassier, Question, pp. 60, 71.

92. Plamenatz said this was most completely Rousseau's own political principal. Plamenatz, Man and Society, p. 396.

must have separation of powers. Those who made the law could not administer it.⁹³

The civil state could be changed and even overthrown, but only if it became incompatible with the general will. As long as the civil state was fulfilling its function for the public good, there was no reason to get rid of it.⁹⁴

Rousseau wrote The Origin of Inequality to explain the character of man in the state of nature, and how it had been corrupted by existing society. He wrote The Social Contract to set up an ideal society where man could avoid further corruption. "What Rousseau wanted was a world fit for himself to live in, a heaven fit for himself to go to, and a God worthy of his love."⁹⁵

Rousseau knew what was wrong with man and where and how he had gone wrong. He knew what changes man needed and what kind of society he needed to live under. "The task was to create citizens who would will only what the general will does, and thus be free, instead of every man being an entity in himself, torn by egotistic tensions and thus enslaved."⁹⁶ In order to accomplish this final goal, Rousseau wrote Emile. 

"EVERYTHING is good as it comes from the hands of the Author of Nature; but everything degenerates in the hands of man".⁹⁷ To

93. Rousseau, Social Contract, pp. 396, 422, 425. Plamenatz, Man and Society, pp. 396-403.

94. Rousseau, Social Contract, p. 424.

95. Plamenatz, Man and Society, p. 364.

96. Talmon, Origins of Totalitarianism, p. 39.

97. Jean Jacques Rousseau, Emile, trans. William H. Payne and ed. W. T. Harris (New York: D. Appleton and Company, 1909), p. 1.

Rousseau, the infant was born the best that man could be. He came directly from God and was therefore near perfect. The longer he lived on earth in society with man, the more corrupted he became. Rousseau's plan for the education of Emile was to remove him from society, educate him in the primitive society and then later return him so he could regenerate modern society.⁹⁸ Because of this, Emile was not educated to be a citizen, nor was he educated for a specific occupation, as Locke would have done. Emile was educated to be a man. If he became a good man, he would also be a good citizen and could perform well in whatever station he chose.⁹⁹

The important question to be answered was "what is a good man?" To Rousseau, a good man was much like savage man and very little like social man. "Savage man lives within himself, while social man lives constantly outside himself, and only knows how to live in the opinion of others, so that he seems to receive the consciousness of his own existence merely from the judgement of others concerning him".¹⁰⁰ Savage man would live by the motto "know thyself". Social man lived by the motto "know what others who are important want you to be".¹⁰¹

Rousseau had earlier said that passion in man is good because passion caused reason. The source of man's passion is his love

98. Ibid., pp. 1-2.

99. Ibid., pp. 5, 8. McGraw-Hill, p. 301.

100. Rousseau, Origin of Inequality, p. 362.

101. Dr. Emory Bogle, "Lecture on Rousseau".

of self. Love of self is a natural emotion which was developed during childhood. As infants and young children had physical needs to be fed, to be dry, to be held, their parents met those needs. Having their needs met made the children more aware of those needs, but it also made them aware of the love of other people. Having needs satisfied made children social. Love of self brought contentment because when real needs were met, man was happy.¹⁰²

Socialized man began with love of self, but this degenerated into self love. Self love could never be satisfied because it made comparisons between its own need and other people's needs. Self love did not attempt to please itself, it attempted to please other people. It had external desires rather than internal desires. The self love of socialized man forced him to sweat and work to please others, a task doomed to failure. The love of self of savage man made him want freedom from labor and peace and liberty to please himself.¹⁰³

Emile needed to experience his natural love of self, but Rousseau wanted to keep him from experiencing self love. He knew that was impossible so he hoped to teach Emile to learn how to control the passions of his self love. Rousseau said that passions were not bad in themselves but failure to control them was. Rousseau wanted Emile to have freedom; but freedom was a form of

102. Rousseau, Emile, pp. 193, 195. Plamenatz, Man and Society, p. 376.

103. Rousseau, Emile, p. 195. Claude E. Ake, "Right, Utility and Rousseau," Western Political Quarterly 20 (March 1967): 6.

self-adjustment. Freedom could not be always giving in to one's passions, for this would be a form of slavery. Freedom derived from the ability to exercise self control.¹⁰⁴ Emile could not be allowed out into society until he had developed self-control and so Rousseau removed him and brought him up in a sheltered village.

Although Rousseau wrote Emile as the last step in his great plan to change the world, many of his suggestions on rearing children had practical applications. Rousseau believed that infants and small children had their freedom severely restricted. He was convinced that a good body was the first step to a good mind. He was opposed to the current practice of swaddling children, believing instead that their limbs should have been free to exercise. They should not be dressed too warmly and should be taken out-side daily. As the child gets older he should have plenty of room to crawl around indoors, and eventually he should go outside to play where he could often go barefooted. The child should have plenty of fresh air and exercise and space to roam, and therefore he could not live in the city.¹⁰⁵ Rousseau said "all wickedness comes from weakness. A child is bad only because he is weak; make him strong, and he will be good".¹⁰⁶

During Emile's first twelve years, Rousseau concentrated on the development of his body, but he also stressed the development

104. Ibid., pp. 6, 12.

105. Rousseau, Emile, pp. 11, 25, 43, 62, 91, 92, 100.

106. Ibid., p. 31.

of character. Emile was not pampered. He was not allowed to develop any habits since in doing so he would lose control of himself to habit. Emile was taught to be dependent on things alone and not on people. He also never met any resistance from people, only from things.¹⁰⁷

Until the age of twelve Emile had no intellectual education. He was not even encouraged to talk since Rousseau believed that words represented ideas and since a child could have no ideas, it made no sense for him to learn words. Emile also was not taught to read and write and if he knew how to perform these task before he was fifteen, it was because he had taught himself. He also hardly knew what books were since he had never utilized them.¹⁰⁸

At the age of twelve, Emile had to begin his intellectual education. The first book he read was Robinson Crusoe; for that book stressed the self-sufficiency of man and the love of self rather than self love. When Emile asked questions, Rousseau would not answer them. Instead he arranged ways in which Emile could discover answers for himself. During this period Emile's education focused on the sciences and physical relationships. Although Emile was from a wealthy family, Rousseau thought it was important that he should have a trade. Continuing his emphasis on physical objects, Emile learned cabinet making.¹⁰⁹

107. Ibid., pp. 12, 26, 29, 46.

108. Ibid., pp. 39, 81, 83.

109. Ibid., pp. 137, 163, 169, 183, 196.

When Emile reached the age of fifteen, he was ready for his moral and religious education. He began his study of humanity by first studying history through Plutarch's Lives, because Rousseau believed it was better to study individuals first and wars later. Emile was introduced to religion and he was also taken to Paris and introduced to society. Much to Rousseau's pleasure, Emile hated it and wanted to return home. Finally Rousseau looked for a companion for Emile and eventually found Sophie, the ideal girl for Emile who was not unlike Thérèse Le Vasseur.¹¹⁰

Emile concluded with the young man having found his Sophie and still retaining his tutor who was his friend for life. Rousseau succeeded in his goal to remove Emile, educate him and then return him to society. Emile was virtuous, without having been taught virtue; his was a "negative education" that was designed to prevent vice. Rather than teach truth, Rousseau sought to prevent error. It was an education without outside influences that left Emile with his own liberty. By being isolated and dependent on himself, Emile invented the arts and sciences, religion and morals. He learned to know the world and he found God.¹¹¹

Rousseau lived sixteen years after the publication of Emile. The remainder of his work did not add any more to his over-all

110. Ibid., pp. 196, 215-216, 230, 242, 258.

111. Critical analysis by G. Vapereau. Rousseau, Emile, p. 310.

theory but his Confessions and Rêveries du promeneur solitaire gave a personal explanation of his life and the forces that moved him. The last period¹¹² of Rousseau's life was not a happy one for him. He felt hunted throughout Europe and lived in France, Prussia, England and finally Paris again. He died insane on July 2, 1778.

Despite his obvious and lamentable imperfection in other respects, Rousseau was an ardent patriot, a devoted advocate of the rights of the people, and had a heart overflowing with sympathy and affection for the helpless and the friendless. His intense emotional nature was at once his weakness and his strength; it made it difficult for him to see men and ideas in their actual relations, for intense feelings blunts intellectual discernment; but it made him the impetuous and resistless champion of the people as against the usurpations of prerogative and custom.¹¹³

Rousseau's many personal problems are widely known and have been widely discussed. He was certainly not a great man but he was a great philosopher. Despite the varying interpretations of his work, he was trying to do just what he said. He wanted to find out how civilized man could recapture the benefits of natural man without returning to the state of nature or renouncing the advantages of the social state.¹¹⁴ While doing this he greatly influenced other areas. He made education a progressive practice and emphasised that a child is not a little man but a developing creature.¹¹⁵ He was of the first to express the idea that society had

112. 1762 - 1778

113. Rousseau, Emile, p. xx.

114. McGraw - Hill, p. 298.

115. Ibid., p. 301. Rousseau, Emile, pp. xxxi - xxxiii.

had grown too large for its own good.¹¹⁶

Rousseau has been criticized as being the "intellectual forebearer" of the radical strain of the French Revolution, as the forefather of Baboeuf, Marx and Stalin.¹¹⁷ It has been said that all of his works were not directed toward humanity and its rights, but toward totalitarianism.

Too often critics have been led astray by Rousseau's ambiguity of language and the duplicity of the situations he creates. La Nouvelle Héloïse is not as we read, the realm of happiness, but that of unhappiness. Emile is not, as we read, an education for freedom, but a masterpiece of human engineering in which the definition of freedom is unhesitating, reflexive conformity to pre-set values and modes of behavior. The Social Contract is not the outline of a free society but the blueprint for a freely regimented society.¹¹⁸

This criticism entirely overlooked Rousseau's strong democratic leanings. Although it is true that he believed in strict authority both in the government of The Social Contract and in the discipline of Emile, he believed that authority was legitimate only when founded on consent. Although he spoke of forcing people to be free in The Social Contract and was known to arrange situations that forced Emile into certain actions, he discredited force as a basis for the government. He firmly and continually believed that governments had to uphold the freedom of the individuals and had to strive for social equality.¹¹⁹

116. Plamenatz, Man and Society, p. 441.

117. Albert Fried and Ronald Sanders ed., Socialist Thought (Garden City, New York: Anchor Books, 1964), p. 31. Crocker, Rousseau's Contract, chap. 3 passion.

118. Ibid., p. 167.

119. Martin, French Thought, p. 219.

Equality, democracy, and freedom: to these three words Rousseau gave new meanings, and meanings which are important because they express aspirations more and more widely shared since his time. He used old words to say new things and was more original than he knew.¹²⁰

120. Plamenatz, Man and Society, p. 442.

CONCLUSION

Rousseau's state of nature was so abhorrent to many of his contemporaries that his writings alone quickly aided in the demise of the Social Contract movement. In England especially, Rousseau's philosophy was very unpopular and was attacked vehemently. The fact that he stressed equality, democracy and freedom in a supposedly "free" society did not make him more acceptable. Rousseau's fellow social contract theorists, Hobbes and Locke, were also no longer in vogue. ^{got to pg 110} Only the radicals, ~~like Thomas Paine, continued to support Lockian theory and Hobbes had never been very popular.~~

There are many things that helped to bring on the death of the social contract theory. The most obvious cause was old age. Most methods of historical analysis have a limited lifespan. The social contract was partially defeated by Utilitarian criticism.¹ Jackson Barwis in his Three Dialogues concerning Liberty published in 1776, said there had never been a contract between people. The government grew gradually and naturally as men needed it. But he conceded that government did have a purpose and that purpose was "the general good or happiness".² John Stuart Mill would later say:

1. Peter Laslett, "Social Contract," The Encyclopedia of Philosophy 7, p. 467.

2. Ogen, "The Decline of Lockien Theory," pp. 29-31.

Though society is not founded on a contract, and though no good purpose is answered by inventing a contract in order to reduce social obligations from it, every one who receives the protection of society owes a return for the benefit, and the fact of living in society renders it indispensable that each should be bound to observe a certain line of conduct toward the rest.³

A revival of Aristotelian thought also helped to defeat the Social Contract theorists. Englishmen like William Kenrick, John Gordon and Adam Ferguson accepted the early position that man was a social animal by nature and since according to Aristotle the nature of anything is reflected when it is in its perfect condition, man in society was no less natural than man in a primitive state.⁴ Gordon also argued that progress was natural to man, a position Rousseau had also taken. If nature had directed man to develop and progress, then modern man is still natural.⁵ Ferguson added that part of man's nature is also to invent and contrive and to constantly struggle to improve his lot. To say that when man uses his capabilities he is leaving the state of nature is stupid. Ferguson said the truth is that "whatever man does is natural to him".⁶ William Kenrick in a poem from Epistles Philosophical and Moral supported Ferguson's point and directly attacked Rousseau:

Let rash polemicks idly prate
of nature and a nat'ral state,
The arts of social life despise,
And think that brutes are only wise;

3. John Stuart Mill, On Liberty (London: Oxford University Press, 1912), p. 92.

4. Ogden, "The Decline of Lockien Theory," p. 24.

5. Ibid., p. 26.

6. Ibid., pp. 28-29.

Pretending better had it been
 If kings and priests we ne'er had seen;
 If lawless, ignorant and wild,
 Man had been left, while yet a child,
 With brutes to share a common fate;
 More blest than in his present state:
 Go thou, and act a social part
 Man's nat'ral state's a state of art.
 'Twas nature, when the world was young,
 Unloos'd our first, great grandsire's tongue...
 'Twas nature gave religion's rule,
 And bade the wise conduct the fool...
 All this you artificial call,
 I heed not empty terms at all.
 Call it by whatsoever name,
 'Tis human nature's special claim.
 Say, from mere phrases to depart,
 How differs nature here from art?...
 'Twas nature knowledge did impart,
 Which time has ripen'd into art:
 But call it art, or what you will,
 'Tis nature, human nature still.⁷

Another reason for the attack on the social contract theorists was a reactionary movement against radicals like Thomas Paine. The conservatives were frightened by the American Revolution and by the popularity of Rousseau's general will in France. They blamed the current radical philosophy on the contract theorists in general but they were particularly worried about the belief that natural rights which existed in the state of nature had to be protected in civil society. To them, it was the belief in "inalienable rights", that had caused the problems. Soame Jenyns in his Disquisitions on Several Subjects argued that governments were founded by necessity not by choice and it was absurd to say that any alleged

7. Ibid., p. 25.

rights men might have had prior to government, had to be protected after the formation of the government.⁸ Edmund Burke in the Appeal From the New to the Old Whigs, admitted that there once was a state of nature, but he argued that man's civil rights had nothing to do with it.

To Burke, the state of nature was so crude and primitive that rights could not have existed since the conception of people did not exist.⁹ Burke believed like Hume, that rights were not natural but habitual and conventional.¹⁰

Although befriending Rousseau and offering him a refuge at his home in England, David Hume was one of Rousseau's most effective critics. Hume refuted Rousseau and the other social contract theorists by relating practical experience. No government ever actually asked its subjects for consent and to say that the governments were aware of that consent was ridiculous. Absolute governments were more common in the world than free governments and yet there were few revolts. The idea of loyalty and allegiance to government was at least as common a belief as was keeping agreements and obligations.¹¹ Hume simply said your ideas may be good, but the facts don't support you.

Social contract ↓ *Rousseau* ↓ *the* *no* ↓ *of the*
 The social contract theorists could not blame their failure on their critics, although they were deluged by them. The failure to keep alive the contract theory was their own failure.

8. Ibid., p. 37.

9. Ibid., p. 43.

10. Sabine, History of Theory, p. 612.

11. Ibid., p. 603.

He They were unable to convince because they were unable to successfully meet all the challenges made to them.¹² Although Locke and Rousseau had presented a very popular and even believable picture of man in the state of nature, Hobbes had not. Neither of the three were very convincing when it came to explaining why man left the state of nature to enter society. For all the fears and needs and desires that these three men tried to demonstrate, the question still remained why would men give up complete freedom for any reason? Neither of the three men were able to satisfactorily show why the making of a contract would force the people to keep their promises. Finally Hobbes and Locke did explain that the reason why people who were born since the contract were still considered under its influence was because they had remained in society thereby giving their consent to it. Rousseau disagreed and maintained that each citizen when he came of age must consent individually or withdraw from society.¹³

The major reason why Hobbes, Locke and Rousseau failed to convince the people that their state of nature had been a reality was because they did not believe it themselves. They had not actually analyzed and discovered man's true nature; they had invented a character to fit the man they needed for their political state. They started with the type of government each wanted; for Hobbes, an authoritarian state, for Locke, a capitalist

12. Kendall, "Social Contract", p. 377.

13. Ibid., p. 381.

federation, and for Rousseau an egalitarian democracy. Then they chose the natural character of man to fit their states; Hobbes's man was an insecure and frightened brute, Locke's man was a rational thinker, and Rousseau's man was a compassionate hermit. Hobbes, Locke and Rousseau were not good historians. Instead of gathering the facts and then postulating a theory to fit their knowledge, they formulated their theories first, and then found "facts" to fit their philosophy. They are guilty of the same methods that their critics used against them.

Much of Hobbes, Locke and Rousseau's philosophy has not stood the test of time; what may have been acceptable in their own day can not be accepted today. But for all their inaccuracies, the social contract theorists were successful. They have left a legacy of beliefs that are generally accepted by western society. No government can be legitimate unless it is based on the consent of the people. The proper concern of political science is the political behavior of individuals and groups. Laws and governments are judged by how they protect the individual rights which all humans have, one of which is the right to live under a democratic government. Finally, all men are born equal and one major purpose of government should be to promote equality.¹⁴ By entrenching these beliefs into our society, Hobbes, Locke and Rousseau have helped shape our minds. They succeeded in their goal to popularize their beliefs and more importantly, by doing this, they have made us humanitarians.

14. Ibid., p. 377.

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