Locke and Rousseau on
the Social Contract

Two scientists, Sir Isaac Newton and Charles Darwin, had particularly significant effects upon the political and social thought of the era in which they lived. Although Newton was primarily an astronomer and mathematician and Darwin a biologist, their basic ideas filtered rapidly through the academic communities of their day to be taken up and used in entirely different contexts.

The idea of natural law provides an example of this process. Newton believed that phenomena such as planetary motion could be explained in terms of laws expressed mathematically. Once he had proved this hypothesis with his law of gravitation, other men began to look for laws governing religion, economics, and politics. Motivating their search was a belief in so-called natural law—that is, rules underlying human behavior that could be discovered through the use of reason. The Problem for today consists of selections from the works of two men, John Locke and Jean Jacques Rousseau, each of whom based his political philosophy on natural law.

John Locke, a contemporary of Newton's, published Two Treatises of Government in 1690. In one of the essays, entitled "Of Civil Government," he tried to justify the action of the English parliament in the Glorious Revolution of 1688 by arguing that James II had violated nature's laws and thus deserved to be deposed. Locke believed that men were born into a "state of nature" in which everyone was free and entitled to the essential natural rights of life, liberty, and property. In order to protect these rights, men formed societies by a "social contract" and transferred to a government the obligation of safeguarding them. A government was a party to the contract made with its citizens; if it failed to protect life, liberty, and property, the people had a right to overthrow it. This is what happened in England in 1688, according to Locke. It is clear that Locke believed that neither the individual nor his government could be trusted with complete power. Hence, some rights had to be protected so that even the central government could never violate them.

Jean Jacques Rousseau was not essentially a political philosopher like Locke, but rather a man of literature. In The Social Contract, first published in France in 1762, Rousseau started with some of Locke's assumptions but came to quite different conclusions. Like Locke, Rousseau argued that men had originally lived in a state of nature. Like Locke, Rousseau believed that men in this state had certain rights. But here he parted company with Locke. Once people entered into a social contract to form a government, they gave all their rights over to the control of the community. In doing so, they submitted to the "general will"—a kind of ideal representing what was best for the whole state, a will for the general good. According to Rousseau, men were essentially good and the general will which grew out of their social contract could be trusted to protect the rights of all. Clearly the general will was "right." If someone disagreed with it, then he must be "wrong" and for his own sake ought to be made to agree. In Rousseau's phrase, it might become necessary
to “force a man to be free,” that is, to agree with the general will. In Rousseau’s society no rights were sacred. The general will controlled everything.

The American Constitution is Lockean in nature. Both the Constitution itself and the Bill of Rights contain a number of provisions forbidding government to invade certain areas of individual freedom. These clauses are based on the assumption that some rights are so important that we should not risk permitting even an elected government to violate them. We assume, therefore, that we cannot always trust our government, particularly in times of crisis, to protect all the rights which we want man to enjoy.

The present government of the Soviet Union makes assumptions like those of Rousseau. It assumes that man is essentially good and that government can be trusted. Since there is only one party in Russia, that party represents the general will, and the general will is always right. If any man disagrees with party policy, he is wrong and ought for his own sake to be corrected. Hence a term in a corrective labor camp is good for him as well as for society. Thus, although Rousseau himself was an ardent believer in human freedom, some of his ideas can be used as a justification for dictatorship.

The two excerpts below contain the essence of some of the ideas discussed in this introduction. As you read, consider the following questions:

1. Did the state of nature ever really exist? Where did the idea come from? Was the social contract an actual event?
2. Why do you suppose Locke chose life, liberty, and property as natural rights? Would a contemporary Communist (if he believed in natural rights) choose these three?
3. Why does Locke think that men have a right to revolt? Why does Rousseau disagree? Upon what assumptions does Locke’s justification of revolt rest? Is it similar to the idea in Clause 61 of Magna Charta?
4. How would you compare Locke’s attitude toward human nature with that of Machiavelli?

I

OF CIVIL GOVERNMENT / by John Locke

From Two Treatises of Government, London, 1690.
Language simplified and spelling modernized by Edwin Fenton.

To understand political power aright, we must consider what condition all men are naturally in, and that is, a state of perfect freedom to do as they wish 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.

A state also of equality, in which no one has more power or authority than another, there being nothing more evident than that creatures of the same species and rank born to all the same advantages
of nature, and the use of the same faculties, should also be equal to each other without subordination or subjection. . . .

The state of nature has a law of nature to govern it, and reason, which is that law, teaches all mankind who will but consult it that, being all equal and independent, no one ought to harm another in his life, health, liberty, or possessions; 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. All men are naturally in that state, and remain so till, by their own consents, they make themselves members of some political society. . . .

If man in the state of nature is as free as has been said, if he is absolute lord of his own person and possessions, equal to the greatest and subject to nobody, why will he part with his freedom? Why will he give up this empire, and subject himself to the dominion and control of any other power? To which it is obvious to answer, that though in the state of nature he has such a right, yet the enjoyment of it is very uncertain, and constantly exposed to the invasion of others; for all being kings as much as he, every man his equal, and most of them no strict observers of equity and justice, the enjoyment of the property he has in this state is very unsafe, very insecure; and it is not without reason that he seeks out and is willing to join in society with others who are already united, or have a mind to unite for the mutual preservation of their lives, liberties and estates, which I call by the general name—property.

The great and chief end, therefore, of men uniting into commonwealths is the preservation of their property. . . .

. . . since it can never be supposed to be the will of the society that the legislature should be able to destroy that which everyone hopes to secure by entering into society, and for which the people submitted themselves to legislators of their own making; whenever the legislators try 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 freed from any further obedience, and are left to the common refuge which God hath provided for all men against force and violence. Whenever, therefore, the legislature shall break this fundamental rule of society, and either by ambition, fear, folly, or corruption, try 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 the people had put into their hands for quite contrary ends, and it is the privilege of people, who have a right to resume their original liberty, to establish a new legislature and provide for their own safety and security. What I have said here concerning the legislature in general holds true also for the executive, who having a double trust put in him, both to have a part in the legislature and to carry out the law, acts against both, when he goes about to set up his own arbitrary will as the law of the society.

To this perhaps it will be said, that the people being ignorant, and always discontented, to lay the foundation of government in the unsteady opinion and uncertain humour of the people, is to expose it to certain ruin: and no government will be able long to subsist, if the people may set up a new legislature whenever they take offense at the old one. To this I answer, quite the contrary. People are not so easily got out of their old forms, as some are apt to suggest. The slowness of the people to quit their old constitutions has, in the many revolutions which have been seen in this kingdom, in this and former ages, still kept us to, or, after some interval of fruitless attempts, still brought us back again to our old legislature of king, lords, and commons.

But it will be said, this hypothesis may lead to frequent rebellion. To which I answer . . . . such revolutions happen not upon every little mismanagement in public affairs. . . . But if a long train of abuses, prevarications and artifices, all tending the same way, make the design visible to the people, they cannot but feel what they lie under, and see whither they are going; it is not to be wondered at that they should then rouse themselves, and endeavor to put the rule into such hands which may secure to them the end for which government was at first erected.

II

THE SOCIAL CONTRACT / by Jean Jacques Rousseau


I assume, for the sake of argument, that mankind at some time reached a point when the disadvantages of remaining in a state of nature outweighed the advantages. Under these conditions, the original state
of nature could no longer endure. The human race would have perished if it had not changed its ways.

Men, being human, cannot develop new powers. But they can unite and control the powers they already have. Men in the state of nature could get together, pooling their strength in a way that would permit them to meet any challenge. They had to learn to work together under central direction.

A real concentration of human powers could be brought about only as the result of an agreement among individual men. But each individual man relies on his own strength and his own freedom of action to protect and preserve himself. How can he limit his strength and his freedom of action without injuring himself and neglecting to care for his own affairs?

Some form of association must be found which can rally the whole community for the protection of the person and property of each of its citizens in such a way that each man, because he is a voluntary member of the association, renders obedience to his own will and hence remains as free as he was before. That is the basic problem solved by the social contract.

The provisions of the social contract are determined by the nature of the act [of association] in such a way that the least modification will render them invalid. Even though the terms of association may never have been formally accepted in open meeting, they are everywhere the same and universally recognized. If the social contract were in any way broken by anyone, then each individual could at once resume all the rights which were his in the state of nature. He would regain his natural liberty by losing the liberty of the social contract for which he originally gave up his freedom of action.

The essence of the social contract can be stated simply: each individual surrenders all his rights to the community. Since each man surrenders his rights without reservation, all are equal. And because all are equal, it is to everyone's interest to make life pleasant for his fellows.

Since all rights have been surrendered to the community without reservation, no one has any claim against the group. If any rights were left to individuals and no one was given authority to decide between individual rights and the public good, then each man would try to extend the scope of those rights he had reserved for himself. This situation would mean that a state of nature still existed. All rights must be surrendered; none may be reserved. . . .
The heart of the idea of the social contract may be stated simply: Each of us places his person and authority under the supreme direction of the general will; and the group receives each individual as an indivisible part of the whole.

In order that the social contract may not be a mere empty formula, everyone must understand that any individual who refuses to obey the general will must be forced by his fellows to do so. This is a way of saying that it may be necessary to force a man to be free; freedom in this case being obedience to the will of all.