

REVIEW QUESTIONS

1. How would you describe coffeehouse society in the late seventeenth century?
2. What is the attitude of each of our two anonymous authors? How and why do they differ?

3. What is the significance of reading the *Gazette*?
4. What are the virtues of coffee?
5. How can coffee drinking be a vice in early modern Europe?

ROBERT FILMER

FROM *Patriarcha*

Robert Filmer (1588–1563), the English theorist of patriarchalism and absolutism, was born into the Kentish squirearchy. Filmer was educated at Trinity College, Cambridge, and at Lincoln's Inn and was knighted by Charles I. Though he never fought for the king, his house was sacked during the Civil War, and he was imprisoned in the royalist cause. He wrote many political tracts, but his most important work, *Patriarcha* (1680), was not well received at the time. Common opinion seemed to follow that of John Locke, who wrote in his *Two Treatises of Government*: "There was never so much glib nonsense put together in well-sounding English." Yet, Filmer remains interesting in his own right. He is the first English absolutist. Despite the publication date, *Patriarcha* was written before the Civil War and before publication of *Leviathan*, before the actions of Parliament prompted any defense of the monarchy and its prerogatives. Filmer believed that the state was a family, that the first king was a father, and that submission to patriarchal authority was the key to political obligation. Of particular interest is his interpretation of patriarchy, the social structure that characterized early modern Europe until the industrial revolution. Indeed, many scholars argue that Filmer's description of social relations is more realistic than the mechanical individualism put forward by Locke. His achievement notwithstanding, his historical significance rests solely on the fact that all of Locke's political thought was directed against him.

From *Patriarcha and Other Writings*, edited by Johann P. Sommerville (Cambridge, Eng.: Cambridge University Press, 1991), pp. 2–3, 5–12.

Since the time that school divinity began to flourish, there hath been a common opinion maintained as well by divines as by divers other learned men which affirms: "Mankind is naturally endowed and born with freedom from all subjection, and at liberty to choose what form

of government it please, and that the power which any one man hath over others was at the first by human right bestowed according to the discretion of the multitude."

This tenet was first hatched in the schools, and hath been fostered by all succeeding papists for

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THE MEETING IN LYONS (1625)

PETER PAUL RUBENS

The Meeting in Lyons is part of a cycle of twenty-one paintings, the largest commission in Rubens's career, for Marie de Medici, dowager queen of France. Intended to hang in her palace in Paris, they describe the important events of her life. It was not easy work; she was a difficult subject, neither beautiful nor interesting nor agreeable. She had quarreled with her late husband, Henri IV, and her son, Louis XIII, had banished her from Paris. Still, Rubens managed to complete the commission to his patroness's satisfaction and created images glorifying the French monarchy. What do the two allegorical figures—Hera, Goddess of Marriage, joining the King and his Queen, and Lyons, driving a chariot—mean in relationship to the royal pair? Why would Rubens choose to represent Henri and Marie as mythological, semidivine figures? Considering the dates of the paintings, after a prolonged civil war and before a great international conflict, what might the allegorical representations of monarch and aristocracy suggest about their strength or weakness?

good divinity. The divines also of the reformed churches have entertained it, and the common people everywhere tenderly embrace it as being most plausible to flesh and blood, for that it prodigally distributes a portion of liberty to the meanest of the multitude, who magnify liberty as if the height of human felicity were only to be found in it—never remembering that the desire of liberty was the cause of the fall of Adam.

But howsoever this vulgar opinion hath of late obtained great reputation, yet it is not to be found in the ancient Fathers and doctors of the primitive church. It contradicts the doctrine and history of the Holy Scriptures, the constant practice of all ancient monarchies, and the very principles of the law of nature. It is hard to say whether it be more erroneous in divinity or dangerous in policy.

Yet upon the grounds of this doctrine both Jesuits and some over zealous favourers of the Geneva discipline have built a perilous conclusion, which is "that the people or multitude have power to punish or deprive the prince if he transgress the laws of the kingdom." Witness Parsons and Buchanan. The first, under the name of Doleman, in the third chapter of his first book labours to prove that kings have been lawfully chastised by their commonwealths. The latter in his book *De Jure Regni apud Scotos* maintains a liberty of the people to depose their prince. Cardinal Bellarmine and Mr Calvin both look asquint this way.

This desperate assertion, whereby kings are made subject to the censures and deprivations of their subjects, follows . . . as a necessary consequence of that former position of the supposed natural equality and freedom of mankind, and liberty to choose what form of government it please.

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The rebellious consequence which follows this prime article of the natural freedom of mankind may be my sufficient warrant for a modest examination of the original truth of it. Much hath been said, and by many, for the affirmative. Equity requires that an ear be reserved a little for the negative.

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To make evident the grounds of this question about the natural liberty of mankind, I will lay down some passages of Cardinal Bellarmine, that may best unfold the state of this controversy. "Secular or civil power," said he

is instituted by men. It is in the people unless they bestow it on a prince. This power is immediately in the whole multitude, as in the subject of it. For this power is by the divine law, but the divine law hath given this power to no particular man. If the positive law be taken away, there is left no reason why amongst a multitude (who are equal) one rather than another should bear rule over the rest. Power is given by the multitude to one man, or to more by the same law of nature, for the commonwealth of itself cannot exercise this power, therefore it is bound to bestow it upon some one man, or some few. It depends upon the consent of the multitude to ordain over themselves a king, or consul, or other magistrate; and if there be a lawful cause, the multitude may change the kingdom into an aristocracy or democracy.

Thus far Bellarmine, in which passages are comprised the strength of all that ever I have read or heard produced for the natural liberty of the subject.

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I come now to examine that argument which is used by Bellarmine, and is the one and only argument I can find produced by any author for the proof of the natural liberty of the people. It is thus framed: that God hath given or ordained power is evident by Scripture; but God hath given it to no particular man, because by nature all men are equal; therefore he hath given power to the people or multitude.

To answer this reason, drawn from the equality of mankind by nature, I will first use the help of Bellarmine himself, whose very words are these: "if many men had been together created out of the

earth, all their posterity, exceeding royal authority, he, "were do testify. so his power over subordination, as

I see of any their parent, the only domination or not only even the a parent, whom disturb as absolute of the species of the imaginary as many di

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earth, all they ought to have been princes over their posterity." In these words we have an evident confession that creation made man prince of his posterity. And indeed not only Adam but the succeeding patriarchs had, by right of fatherhood, royal authority over their children. Nor dares Belarmine deny this also. "That the patriarchs," saith he, "were endowed with kingly power, their deeds do testify." For as Adam was lord of his children, so his children under him had a command and power over their own children, but still with subordination to the first parent, who is lord paramount over his children's children to all generations, as being the grandfather of his people.

I see not then how the children of Adam, or of any man else, can be free from subjection to their parents. And this subjection of children is the only fountain of all regal authority, by the ordination of God himself. It follows that civil power not only in general is by divine institution, but even the assignment of it specifically to the eldest parent, which quite takes away that new and common distinction which refers only power universal as absolute to God, but power respective in regard of the special form of government to the choice of the people. Nor leaves it any place for such imaginary pactions between kings and their people as many dream of.

This lordship which Adam by creation had over the whole world, and by right descending from him the patriarchs did enjoy, was as large and ample as the absolutest dominion of any monarch which hath been since the creation. For power of life and death we find that Judah, the father, pronounced sentence of death against Thamar, his daughter-in-law, for playing the harlot. "Bring her forth," saith he, "that she may be burnt." Touching war, we see that Abraham commanded an army of 318 soldiers of his own family; and Esau met his brother Jacob with 400 men at arms. For matter of peace, Abraham made a league with Abimelech, and ratified the articles by an oath. These acts of judging in capital causes, of making war, and concluding peace, are the chiefest marks of sovereignty that are found in any monarch.

Not only until the Flood, but after it, this patriarchal power did continue—as the very name of patriarch doth in part prove. The three sons of Noah had the whole world divided amongst them by their father, for of them was the whole world overspread, according to the benediction given to him and his sons: "Be fruitful and multiply and replenish the earth." Most of the civillest nations in the world labour to fetch their original from some one of the sons or nephews of Noah, which were scattered abroad after the confusion of Babel. In this dispersion we must certainly find the establishment of regal power throughout the kingdoms of the world.

It is a common opinion that at the confusion of tongues there were seventy-two distinct nations erected. All which were not confused multitudes, without heads or governors, and at liberty to choose what governors or government they pleased, but they were distinct families, which had fathers for rulers over them. Whereby it appears that even in the confusion, God was careful to preserve the fatherly authority by distributing the diversity of languages according to the diversity of families.

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In this division of the world, some are of opinion that Noah used lots for the distribution of it. Others affirm that he sailed about the Mediterranean sea in ten years and as he went about, pointed to each son his part, and so made the division of the then known world into Asia, Africa, and Europe, according to the number of his sons, the limits of which three parts are all found in that midland sea.

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Some, perhaps, may think that these princes and dukes of families were but some pretty lords under some greater kings, because the number of them are so many that their particular territories could be but small, and not worthy the title of kingdoms. But they must consider that at first kings had no such large dominions as they have nowadays. We find in the time of Abraham, which

was about 300 years after the Flood, that in a little corner of Asia nine kings at once met in battle, most of which were but kings of cities apiece, with the adjacent territories, as of Sodom, Gomorrha, Shinar, etc. In the same chapter is mention of Melchisedek, king of Salem, which was but the city of Jerusalem. And in the catalogue of the kings of Edom, the name of each king's city is recorded as the only mark to distinguish their dominions. In the land of Canaan, which was but of a small circuit, Joshua destroyed thirty-one kings, and about the same time Adonibezek had seventy kings whose fingers and toes he had cut off, and made them feed under his table. A few ages after this, thirty-two kings came to Benhadad, king of Syria, and about seventy kings of Greece went to the wars of Troy. Caesar found more kings in France than there be now provinces there, and at his sailing over into this island he found four kings in our county of Kent. These heaps of kings in each nation are an argument that their territories were but small, and strongly confirm our assertion that erection of kingdoms came at first only by distinction of families.

By manifest footsteps we may trace this paternal government unto the Israelites coming into Egypt, where the exercise of supreme patriarchal jurisdiction was intermitted because they were in subjection to a stronger prince. After the return of these Israelites out of bondage, God, out of a special care of them, chose Moses and Joshua successively to govern as princes in the place and stead of the supreme fathers, and after them likewise for a time He raised up Judges to defend His people in times of peril. But when God gave the Israelites kings, He re-established the ancient and prime right of lineal succession to paternal government. And whensoever He made choice of any special person to be king, He intended that the issue also should have benefit thereof, as being comprehended sufficiently in the person of the father—although the father only were named in the grant.

It may seem absurd to maintain that kings now are the fathers of their people, since experience shows the contrary. It is true, all kings be not

the natural parents of their subjects, yet they all either are, or are to be reputed as the next heirs to those progenitors who were at first the natural parents of the whole people, and in their right succeeded to the exercise of supreme jurisdiction. And such heirs are not only lords of their own children, but also of their brethren, and all others that were subject to their fathers.

And therefore we find that God told Cain of his brother Abel: "His desires shall be subject unto thee, and thou shalt rule over him." Accordingly, when Jacob had bought his brother's birthright, Isaac blessed him thus: "Be lord over thy brethren, and let the sons of thy mother bow before thee." As long as the first fathers of families lived, the name of patriarchs did aptly belong unto them. But after a few descents, when the true fatherhood itself was extinct and only the right of the father descended to the true heir, then the title of prince or king was more significant to express the power of him who succeeds only to the right of that fatherhood which his ancestors did naturally enjoy. By this means it comes to pass that many a child, by succeeding a king, hath the right of a father over many a grey-headed multitude, and hath the title of *pater patriae*.

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In all kingdoms or commonwealths in the world, whether the prince be the supreme father of the people or but the true heir of such a father, or whether he come to the crown by usurpation, or by election of the nobles or of the people, or by any other way whatsoever, or whether some few or a multitude govern the commonwealth, yet still the authority that is in any one, or in many, or in all of these, is the only right and natural authority of a supreme father. There is, and always shall be continued to the end of the world, a natural right of a supreme father over every multitude, although, by the secret will of God, many at first do most unjustly obtain the exercise of it.

To confirm this natural right of regal power, we find in the decalogue that the law which enjoins obedience to kings is delivered in the terms of "honour thy father" as if all power were orig-

inally in the father immediately due to princes by ordinance, what nature should give we see the power gives place and is magistrate?

If we compare with those of a king without any difference or extent of family, so the king extends his care to and defend the whole his peace, his court sovereignty tend to every subordinate children, their rights duties of a king and fatherly care of his

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The Edict of liberty to science and aristocrats civil rights edict include such judgment of the been disrupted heresy. The Cardinal B Edict of Al in 1685 and were forced

inally in the father. If obedience to parents be immediately due by a natural law, and subjection to princes but by the mediation of an human ordinance, what reason is there that the law of nature should give place to the laws of men, as we see the power of the father over his child gives place and is subordinate to the power of the magistrate?

If we compare the natural duties of a father with those of a king, we find them to be all one, without any difference at all but only in the latitude or extent of them. As the father over one family, so the king, as father over many families, extends his care to preserve, feed, clothe, instruct and defend the whole commonwealth. His wars, his peace, his courts of justice and all his acts of sovereignty tend only to preserve and distribute to every subordinate and inferior father, and to their children, their rights and privileges, so that all the duties of a king are summed up in an universal fatherly care of his people.

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REVIEW QUESTIONS

1. According to Filmer, what is the relation between the authority of a father and the authority of a king?
2. Why does Filmer link political authority to domestic authority?
3. What is the relation between authority and nature for Filmer?
4. How does political authority come into being?
5. What are the implications of Filmer's rejection of the natural liberty of humankind?
6. What are its implications for his conception of human nature?
7. What are its implications for economic relations?
8. What are its implications for social status?

LOUIS XIV AND THE DUC DE SAINT-SIMON

Revocation of the Edict of Nantes

The Edict of Nantes, signed by Henry IV in 1598, granted a measure of religious liberty to his Protestant subjects, the Huguenots. It granted them freedom of conscience and the right to hold public worship services anywhere they had done so in 1576, including two towns in every administrative unit of France, the houses of aristocrats, and within 5 kilometers of Paris. It also granted French Protestants full civil rights: to enter trade, inherit property, attend universities, and hold offices. The edict included one crucial political concession: the Huguenots were permitted to retain such fortified places as they held in 1597 as garrisoned strongholds at the expense of the crown. The edict also restored Catholicism in all areas where it had been disrupted. Nonetheless, French Catholics resented it as being too tolerant of heresy. The monarchy soon came to view its political clause as a danger to the state. Cardinal Richelieu reduced the Protestant strongholds by force of arms, and the Edict of Alès rescinded the political agreement in 1629. Louis XIV revoked the edict in 1685 and deprived the Huguenots of all civil and religious liberties. Their clergy were forced into exile. Thousands of religious refugees fled France for the Protestant

use it as wise dispensers, that is to say, in accordance with the requirements of their State.

The second is that those mysterious names, the Franchises and Liberties of the Church, with which perhaps people will endeavour to dazzle you, have equal reference to all the faithful whether they be laymen or tonsured, who are all equally sons of this common Mother; but that they exempt neither the one nor the other from subjection to Sovereigns, to whom the Gospel itself precisely enjoins that they should submit themselves.

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REVIEW QUESTIONS

1. Why did Louis revoke the Edict of Nantes?
2. What does this tell us about his conception of royal authority?
3. Is there any aspect of life that is exempt from royal authority?
4. How does this contrast with the political theory of John Locke?
5. What, according to the Duke of Saint-Simon, were the real consequences of the revocation?
6. How might Louis or his advisors have justified the act?
7. What benefits might have been expected in the first place?

JOHN LOCKE

FROM *Two Treatises on Government*

John Locke (1632–1704) was an English philosopher whose thought contributed to the Enlightenment. He grew up in a liberal Puritan family, the son of an attorney who fought in the civil war against Charles I, and attended Christ's Church College, Oxford. He received his bachelor of arts in 1656, lectured in classical languages while earning his master of arts, and entered Oxford medical school to avoid being forced to join the clergy. In 1666, Locke attached himself to the household of the earl of Shaftesbury and his fortunes to the liberal Whig Party. Between 1675 and 1679, he lived in France, where he made contact with leading intellectuals of the late seventeenth century. On his return to England, he plunged into the controversy surrounding the succession of James II, an avowed Catholic with absolutist pretensions, to the throne of his brother, Charles II. Locke's patron, Shaftesbury, was imprisoned for his opposition, and Locke went into exile in 1683. Though he was involved to some extent in the Glorious Revolution of 1688, he returned to England in 1689, in the entourage of Mary, princess of Orange, who would assume the throne with her husband William. The *Two Treatises on Government* (1690) were published anonymously, although readers commonly assumed Locke's authorship. More interesting is the point in time at which they were written. Most scholars assume that they were written immediately before publication, as a justification of the revolution just completed. Many scholars believe, however, that the treatises were written from exile as a call to revolution, a much more inflammatory and risky project. The first treatise comprises a long attack on Robert Filmer's *Patriarcha*, a

denial of the patriarchal justification of the absolute monarch. The second treatise constructs in the place of patriarchy a theory of politics based on natural law, which provides the foundation of human freedom. The social contract creates a political structure by consent of the governed designed to preserve those freedoms established in natural law. Locke's treatises inspired the political theories of the Enlightenment.

From *First Treatise in Two Treatises on Government*, edited by Ernst Rhys (New York: Dutton, 1993).

Chapter VI Of Paternal Power

It may perhaps be censured an impertinent criticism in a discourse of this nature to find fault with words and names that have obtained in the world. And yet possibly it may not be amiss to offer new ones when the old are apt to lead men into mistakes, as this of paternal power probably has done, which seems so to place the power of parents over their children wholly in the father, as if the mother had no share in it; whereas if we consult reason or revelation, we shall find she has an equal title, which may give one reason to ask whether this might not be more properly called parental power? For whatever obligation Nature and the right of generation lays on children, it must certainly bind them equal to both the concurrent causes of it. And accordingly we see the positive law of God everywhere joins them together without distinction, when it commands the obedience of children: "Honour thy father and thy mother"; "Whosoever curseth his father or his mother"; "Ye shall fear every man his mother and his father"; "Children, obey your parents" etc., is the style of the Old and New Testament.

Though I have said above "That all men by nature are equal," I cannot be supposed to understand all sorts of "equality." Age or virtue may give men a just precedency. Excellency of parts and merit may place others above the common level. Birth may subject some, and alliance or ben-

efits others, to pay an observance to those to whom Nature, gratitude, or other respects, may have made it due; and yet all this consists with the equality which all men are in in respect of jurisdiction or dominion one over another, which was the equality I there spoke of as proper to the business in hand, being that equal right that every man hath to his natural freedom, without being subjected to the will or authority of any other man.

Children, I confess, are not born in this full state of equality, though they are born to it. Their parents have a sort of rule and jurisdiction over them when they come into the world, and for some time after, but it is but a temporary one. The bonds of this subjection are like the swaddling clothes they are wrapt up in and supported by in the weakness of their infancy. Age and reason as they grow up loosen them, till at length they drop quite off, and leave a man at his own free disposal.

Adam was created a perfect man, his body and mind in full possession of their strength and reason, and so was capable from the first instance of his being to provide for his own support and preservation, and govern his actions according to the dictates of the law of reason God had implanted in him. From him the world is peopled with his descendants, who are all born infants, weak and helpless, without knowledge or understanding. But to supply the defects of this imperfect state till the improvement of growth and age had removed them, Adam and Eve, and after them all parents were, by the law of Nature, under an obligation to preserve, nourish and educate the children they had begotten, not as their own workmanship, but the workmanship of their own Maker, the Almighty, to whom they were to be accountable for them.

The law that was to govern Adam was the same that was to govern all his posterity, the law of reason. But his offspring having another way of entrance into the world, different from him, by a natural birth, that produced them ignorant, and without the use of reason, they were not presently under that law. For nobody can be under a law that is not promulgated to him; and this law being promulgated or made known by reason only, he that is not come to the use of his reason cannot be said to be under this law; and Adam's children being not presently as soon as born under this law of reason, were not presently free. For law, in its true notion, is not so much the limitation as the direction of a free and intelligent agent to his proper interest, and prescribes no farther than is for the general good of those under that law. Could they be happier without it, the law, as a useless thing, would of itself vanish; and that ill deserves the name of confinement which hedges us in only from bogs and precipices. So that however it may be mistaken, the end of law is not to abolish or restrain, but to preserve and enlarge freedom. For in all the states of created beings, capable of laws, 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; and is not, as we are told, "a liberty for every man to do what he lists." For who could be free, when every other man's humour might domineer over him? But a liberty to dispose and order freely as he lists his person, actions, possessions, and his whole property within the allowance of those laws under which he is, and therein not to be subject to the arbitrary will of another, but freely follow his own.

The power, then, that parents have over their children arises from that duty which is incumbent on them, to take care of their offspring during the imperfect state of childhood. To inform the mind, and govern the actions of their yet ignorant nonage, till reason shall take its place and ease them of that trouble, is what the children want, and the parents are bound to. For God having given man an understanding to direct his actions, has allowed him a freedom of will and liberty of acting, as

properly belonging thereunto within the bounds of that law he is under. But whilst he is in an estate wherein he has no understanding of his own to direct his will, he is not to have any will of his own to follow. He that understands for him must will for him too; he must prescribe to his will, and regulate his actions, but when he comes to the estate that made his father a free man, the son is a free man too.

This holds in all the laws a man is under, whether natural or civil. Is a man under the law of Nature? What made him free of that law? what gave him a free disposing of his property, according to his own will, within the compass of that law? I answer, an estate wherein he might be supposed capable to know that law, that so he might keep his actions within the bounds of it. When he has acquired that state, he is presumed to know how far that law is to be his guide, and how far he may make use of his freedom, and so comes to have it; till then, somebody else must guide him, who is presumed to know how far the law allows a liberty. If such a state of reason, such an age of discretion made him free, the same shall make his son free too. Is a man under the law of England? what made him free of that law—that is, to have the liberty to dispose of his actions and possessions, according to his own will, within the permission of that law? a capacity of knowing that law. Which is supposed, by that law, at the age of twenty-one, and in some cases sooner. If this made the father free, it shall make the son free too. Till then, we see the law allows the son to have no will, but he is to be guided by the will of his father or guardian, who is to understand for him. And if the father die and fail to substitute a deputy in this trust, if he hath not provided a tutor to govern his son during his minority, during his want of understanding, the law takes care to do it: some other must govern him and be a will to him till he hath attained to a state of freedom, and his understanding be fit to take the government of his will. But after that the father and son are equally free, as much as tutor and pupil, after nonage, equally subjects of the same law together, without any dominion left in the father over the life, lib-

erty, or estate of his son, whether they be only in the state and under the law of Nature, or under the positive laws of an established government.

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The freedom then of man, and liberty of acting according to his own will, is grounded on his having reason, which is able to instruct him in that law he is to govern himself by, and make him know how far he is left to the freedom of his own will. To turn him loose to an unrestrained liberty, before he has reason to guide him, is not the allowing him the privilege of his nature to be free, but to thrust him out amongst brutes, and abandon him to a state as wretched and as much beneath that of a man as theirs. This is that which puts the authority into the parents' hands to govern the minority of their children. God hath made it their business to employ this care on their offspring, and hath placed in them suitable inclinations of tenderness and concern to temper this power, to apply it as His wisdom designed it, to the children's good as long as they should need to be under it.

But what reason can hence advance this care of the parents due to their offspring into an absolute, arbitrary dominion of the father, whose power reaches no farther than by such a discipline as he finds most effectual to give such strength and health to their bodies, such vigour and rectitude to their minds, as may best fit his children to be most useful to themselves and others, and, if it be necessary to his condition, to make them work when they are able for their own subsistence; but in this power the mother, too, has her share with the father.

Nay, this power so little belongs to the father by any peculiar right of Nature, but only as he is guardian of his children, that when he quits his care of them he loses his power over them, which goes along with their nourishment and education, to which it is inseparably annexed, and belongs as much to the foster-father of an exposed child as to the natural father of another. So little power does the bare act of begetting give a man over his issue, if all his care ends there, and this be all the title he hath to the name and authority of a father.

And what will become of this paternal power in that part of the world where one woman hath more than one husband at a time? or in those parts of America where, when the husband and wife part, which happens frequently, the children are all left to the mother, follow her, and are wholly under her care and provision? And if the father die whilst the children are young, do they not naturally everywhere owe the same obedience to their mother, during their minority, as to their father, were he alive? And will any one say that the mother hath a legislative power over her children that she can make standing rules which shall be of perpetual obligation, by which they ought to regulate all the concerns of their property, and bound their liberty all the course of their lives, and enforce the observation of them with capital punishments? For this is the proper power of the magistrate, of which the father hath not so much as the shadow. His command over his children is but temporary, and reaches not their life or property. It is but a help to the weakness and imperfection of their nonage, a discipline necessary to their education. And though a father may dispose of his own possessions as he pleases when his children are out of danger of perishing for want, yet his power extends not to the lives or goods which either their own industry, or another's bounty, has made theirs, nor to their liberty neither, when they are once arrived to the enfranchisement of the years of discretion. The father's empire then ceases, and he can from thenceforward no more dispose of the liberty of his son than that of any other man. And it must be far from an absolute or perpetual jurisdiction from which a man may withdraw himself, having licence from Divine authority to "leave father and mother and cleave to his wife."

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Chapter VII Of Political or Civil Society

God, having made man such a creature that, in His own judgment, it was not good for him to be

alone, put him under strong obligations of necessity, convenience, and inclination, to drive him into society, as well as fitted him with understanding and language to continue and enjoy it. The first society was between man and wife, which gave beginning to that between parents and children, to which, in time, that between master and servant came to be added. And though all these might, and commonly did, meet together, and make up but one family, wherein the master or mistress of it had some sort of rule proper to a family, each of these, or all together, came short of "political society," as we shall see if we consider the different ends, ties, and bounds of each of these.

Conjugal society is made by a voluntary compact between man and woman, and though it consist chiefly in such a communion and right in one another's bodies as is necessary to its chief end, procreation, yet it draws with it mutual support and assistance, and a communion of interests too, as necessary not only to unite their care and affection, but also necessary to their common offspring, who have a right to be nourished and maintained by them till they are able to provide for themselves.

For the end of conjunction between male and female being not barely procreation, but the continuation of the species, this conjunction betwixt male and female ought to last, even after procreation, so long as is necessary to the nourishment and support of the young ones, who are to be sustained by those that got them till they are able to shift and provide for themselves. This rule, which the infinite wise Maker hath set to the works of His hands, we find the inferior creatures steadily obey. In those vivaporous animals which feed on grass the conjunction between male and female lasts no longer than the very act of copulation, because the teat of the dam being sufficient to nourish the young till it be able to feed on grass, the male only begets, but concerns not himself for the female or young, to whose sustenance he can contribute nothing. But in beasts of prey the conjunction lasts longer, because the dam, not being able well to subsist herself and nourish her nu-

merous offspring by her own prey alone (a more laborious as well as more dangerous way of living than by feeding on grass), the assistance of the male is necessary to the maintenance of their common family, which cannot subsist till they are able to prey for themselves, but by the joint care of male and female. The same is observed in all birds (except some domestic ones, where plenty of food excuses the cock from feeding and taking care of the young brood), whose young, needing food in the nest, the cock and hen continue mates till the young are able to use their wings and provide for themselves.

And herein, I think, lies the chief, if not the only reason, why the male and female in mankind are tied to a longer conjunction than other creatures—viz., because the female is capable of conceiving, and, *de facto*, is commonly with child again, and brings forth too a new birth, long before the former is out of a dependency for support on his parents' help and able to shift for himself, and has all the assistance due to him from his parents, whereby the father, who is bound to take care for those he hath begot, is under an obligation to continue in conjugal society with the same woman longer than other creatures, whose young, being able to subsist of themselves before the time of procreation returns again, the conjugal bond dissolves of itself, and they are at liberty till Hymen, at his usual anniversary season, summons them again to choose new mates. Wherein one cannot but admire the wisdom of the great Creator, who, having given to man an ability to lay up for the future as well as supply the present necessity, hath made it necessary that society of man and wife should be more lasting than of male and female amongst other creatures, that so their industry might be encouraged, and their interest better united, to make provision and lay up goods for their common issue, which uncertain mixture, or easy and frequent solutions of conjugal society, would mightily disturb.

But though these are ties upon mankind which make the conjugal bonds more firm and lasting in a man than the other species of animals, yet it would give one reason to inquire why this com-

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 pact, where procreation and education are secured and inheritance taken care for, may not be made determinable, either by consent, or at a certain time, or upon certain conditions, as well as any other voluntary compacts, there being no necessity, in the nature of the thing, nor to the ends of it, that it should always be for life—I mean, to such as are under no restraint of any positive law which ordains all such contracts to be perpetual.

But the husband and wife, though they have but one common concern, yet having different understandings, will unavoidably sometimes have different wills too. It therefore being necessary that the last determination (i.e., the rule) should be placed somewhere, it naturally falls to the man's share as the abler and the stronger. But this, reaching but to the things of their common interest and property, leaves the wife in the full and true possession of what by contract is her peculiar right, and at least gives the husband no more power over her than she has over his life; the power of the husband being so far from that of an absolute monarch that the wife has, in many cases, a liberty to separate from him where natural right or their contract allows it, whether that contract be made by themselves in the state of Nature or by the customs or laws of the country they live in, and the children, upon such separation, fall to the father or mother's lot as such contract does determine.

For all the ends of marriage being to be obtained under politic government, as well as in the state of Nature, the civil magistrate doth not abridge the right or power of either, naturally necessary to those ends—viz., procreation and mutual support and assistance whilst they are together, but only decides any controversy that may arise between man and wife about them. If it were otherwise, and that absolute sovereignty and power of life and death naturally belonged to the husband, and were necessary to the society between man and wife, there could be no matrimony in any of these countries where the husband is allowed no such absolute authority. But the ends of matrimony requiring no such power in the husband, it was not at all necessary to it. The condition of conjugal society put it not in him; but

whatsoever might consist with procreation and support of the children till they could shift for themselves—mutual assistance, comfort, and maintenance—might be varied and regulated by that contract which first united them in that society, nothing being necessary to any society that is not necessary to the ends for which it is made.

* * *

Let us therefore consider a master of a family with all these subordinate relations of wife, children, servants and slaves, united under the domestic rule of a family, with what resemblance soever it may have in its order, offices, and number too, with a little commonwealth, yet is very far from it both in its constitution, power, and end; or if it must be thought a monarchy, and the paterfamilias the absolute monarch in it, absolute monarchy will have but a very shattered and short power, when it is plain by what has been said before, that the master of the family has a very distinct and differently limited power both as to time and extent over those several persons that are in it; for excepting the slave (and the family is as much a family, and his power as paterfamilias as great, whether there be any slaves in his family or no) he has no legislative power of life and death over any of them, and none too but what a mistress of a family may have as well as he. And he certainly can have no absolute power over the whole family who has but a very limited one over every individual in it. But how a family, or any other society of men, differ from that which is properly political society, we shall best see by considering wherein political society itself consists.

Man being born, as has been proved, with a title to perfect freedom and an uncontrolled enjoyment of all the rights and privileges of the law of Nature, equally with any other man, or number of men in the world, hath by nature a power not only to preserve his property—that is, his life, liberty, and estate, against the injuries and attempts of other men, but to judge of and punish the breaches of that law in others, as he is persuaded the offence deserves, even with death itself, in crimes where the heinousness of the fact, in his opinion, requires it.

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But because no political society can be, nor subsist, without having in itself the power to preserve the property, and in order thereunto punish the offences of all those of that society, there, and there only, is political society where every one of the members hath quitted this natural power, resigned it up into the hands of the community in all cases that exclude him not from appealing for protection to the law established by it. And thus all private judgment of every particular member being excluded, the community comes to be umpire, and by understanding indifferent rules and men authorised by the community for their execution, decides all the differences that may happen between any members of that society concerning any matter of right, and punishes those offences which any member hath committed against the society with such penalties as the law has established; whereby it is easy to discern who are, and are not, in political society together. 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 one with another; but those who have no such common appeal, I mean on earth, are still in the state of Nature, each being where there is no other, judge for himself and executioner; which is, as I have before showed it, the perfect state of Nature.

And thus the commonwealth comes by a power to set down what punishment shall belong to the several transgressions they think worthy of it, committed amongst the members of that society (which is the power of making laws), as well as it has the power to punish any injury done unto any of its members by any one that is not of it (which is the power of war and peace); and all this for the preservation of the property of all the members of that society, as far as is possible. But though every man entered into society has quitted his power to punish offences against the law of Nature in prosecution of his own private judgment, yet with the judgment of offences which he has given up to the legislative, in all cases where he can appeal to the magistrate, he has given up a right to the commonwealth to employ his force

for the execution of the judgments of the commonwealth whenever he shall be called to it, which, indeed, are his own judgments, they being made by himself or his representative. And herein we have the original of the legislative and executive power of civil society, which is to judge by standing laws how far offences are to be punished when committed within the commonwealth; and also by occasional judgments founded on the present circumstances of the fact, how far injuries from without are to be vindicated, and in both these to employ all the force of all the members when there shall be need.

Wherever, therefore, any number of men so unite into one society as to quit every one his executive power of the law of Nature, and to resign it to the public, there and there only is a political or civil society. And this is done wherever any number of men, in the state of Nature, enter into society to make one people one body politic under one supreme government: or else when any one joins himself to, and incorporates with any government already made. For hereby he authorises the society, or which is all one, the legislative thereof, to make laws for him as the public good of the society shall require, to the execution whereof his own assistance (as to his own decrees) is due. And this puts men out of a state of Nature into that of a commonwealth, by setting up a judge on earth with authority to determine all the controversies and redress the injuries that may happen to any member of the commonwealth, which judge is the legislative or magistrates appointed by it. And wherever there are any number of men, however associated, that have no such decisive power to appeal to, there they are still in the state of Nature.

And hence it is evident that absolute monarchy, which by some men is counted for the only government in the world, is indeed inconsistent with civil society, and so can be no form of civil government at all. For the end of civil society being to avoid and remedy those inconveniencies of the state of Nature which necessarily follow from every man's being judge in his own case, by setting up a known authority to which every one of that

society may appeal upon any injury received, or controversy that may arise, and which every one of the society ought to obey. Wherever any persons are who have not such an authority to appeal to, and decide any difference between them there, those persons are still in the state of Nature. And so is every absolute prince in respect of those who are under his dominion.

For he being supposed to have all, both legislative and executive, power in himself alone, there is no judge to be found, no appeal lies open to any one, who may fairly and indifferently, and with authority decide, and from whence relief and redress may be expected of any injury or inconvenience that may be suffered from him, or by his order. So that such a man, however entitled, Czar, or Grand Signior, or how you please, is as much in the state of Nature, with all under his dominion, as he is with the rest of mankind. For wherever any two men are, who have no standing rule and common judge to appeal to on earth, for the determination of controversies of right betwixt them, there they are still in the state of Nature, and under all the inconveniencies of it, with only this woeful difference to the subject, or rather slave of an absolute prince. That whereas, in the ordinary state of Nature, he has a liberty to judge of his right, according to the best of his power to maintain it; but whenever his property is invaded by the will and order of his monarch, he has not only no appeal, as those in society ought to have, but, as if he were degraded from the common state of rational creatures, is denied a liberty to judge of, or defend his right, and so is exposed to all the misery and inconveniencies that a man can fear from one, who being in the unrestrained state of Nature, is yet corrupted with flattery and armed with power.

* * *

Chapter VIII Of the Beginning of Political Societies

Men being, as has been said, by nature all free, equal, and independent, no one can be put out of

this estate and subjected to the political power of another without his own consent, which is done by agreeing with other men, to join and unite into a community for their comfortable, safe, and peaceable living, one amongst another, in a secure enjoyment of their properties, and a greater security against any that are not of it. This any number of men may do, because it injures not the freedom of the rest; they are left, as they were, in the liberty of the state of Nature. When any number of men have so consented to make one community or government, they are thereby presently incorporated, and make one body politic, wherein the majority have a right to act and conclude the rest.

For, when any number of men have, by the consent of every individual, made a community, they have thereby made that community one body, with a power to act as one body, which is only by the will and determination of the majority. For that which acts any community, being only the consent of the individuals of it, and it being one body, must move one way, it is necessary the body should move that way whither the greater force carries it, which is the consent of the majority, or else it is impossible it should act or continue one body, one community, which the consent of every individual that united into it agreed that it should; and so every one is bound by that consent to be concluded by the majority. And therefore we see that in assemblies empowered to act by positive laws where no number is set by that positive law which empowers them, the act of the majority passes for the act of the whole, and of course determines as having, by the law of Nature and reason, the power of the whole.

And thus every man, by consenting with others to make one body politic under one government, puts himself under an obligation to every one of that society to submit to the determination of the majority, and to be concluded by it; or else this original compact, whereby he with others incorporates into one society, would signify nothing, and be no compact if he be left free and under no other ties than he was in before in the state of Nature. For what appearance would there be of

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any compact? What new engagement if he were no farther tied by any decrees of the society than he himself thought fit and did actually consent to? This would be still as great a liberty as he himself had before his compact, or any one else in the state of Nature, who may submit himself and consent to any acts of it if he thinks fit.

* * *

Whosoever, therefore, out of a state of Nature unite into a community, must be understood to give up all the power necessary to the ends for which they unite into society to the majority of the community, unless they expressly agreed in any number greater than the majority. And this is done by barely agreeing to unite into one political society, which is all the compact that is, or needs be, between the individuals that enter into or make up a commonwealth. And thus, that which begins and actually constitutes any political society is nothing but the consent of any number of freemen capable of majority, to unite and incorporate into such a society. And this is that, and that only, which did or could give beginning to any lawful government in the world.

* * *

Every man being, as has been showed, naturally free, and nothing being able to put him into subjection to any earthly power, but only his own consent, it is to be considered what shall be understood to be a sufficient declaration of a man's consent to make him subject to the laws of any government. There is a common distinction of an express and a tacit consent, which will concern our present case. Nobody doubts but an express consent of any man, entering into any society, makes him a perfect member of that society, a subject of that government. The difficulty is, what ought to be looked upon as a tacit consent, and how far it binds—i.e., how far any one shall be looked on to have consented, and thereby submitted to any government, where he has made no expressions of it at all. And to this I say, that every man that hath any possession or enjoyment of any part of the dominions of any government doth hereby give his

tacit consent, and is as far forth obliged to obedience to the laws of that government, during such enjoyment, as any one under it, whether this his possession be of land to him and his heirs for ever, or a lodging only for a week; or whether it be barely travelling freely on the highway; and, in effect, it reaches as far as the very being of any one within the territories of that government.

To understand this the better, it is fit to consider that every man when he at first incorporates himself into any commonwealth, he, by his uniting himself thereunto, annexes also, and submits to the community those possessions which he has, or shall acquire, that do not already belong to any other government. For it would be a direct contradiction for any one to enter into society with others for the securing and regulating of property, and yet to suppose his land, whose property is to be regulated by the laws of the society, should be exempt from the jurisdiction of that government to which he himself, and the property of the land, is a subject. By the same act, therefore, whereby any one unites his person, which was before free, to any commonwealth, by the same he unites his possessions, which were before free, to it also; and they become, both of them, person and possession, subject to the government and dominion of that commonwealth as long as it hath a being. Whoever therefore, from thenceforth, by inheritance, purchases permission, or otherwise enjoys any part of the land so annexed to, and under the government of that commonwealth, must take it with the condition it is under—that is, of submitting to the government of the commonwealth, under whose jurisdiction it is, as far forth as any subject of it.

But since the government has a direct jurisdiction only over the land and reaches the possessor of it (before he has actually incorporated himself in the society) only as he dwells upon and enjoys that, the obligation any one is under by virtue of such enjoyment to submit to the government begins and ends with the enjoyment; so that whenever the owner, who has given nothing but such a tacit consent to the government will, by donation, sale or otherwise, quit the said possession, he is at liberty to go and incorporate himself

into any other commonwealth, or agree with others to begin a new one *in vacuis locis*, in any part of the world they can find free and unpossessed; whereas he that has once, by actual agreement and any express declaration, given his consent to be of any commonwealth, is perpetually and indispensably obliged to be, and remain unalterably a subject to it, and can never be again in the liberty of the state of Nature, unless by any calamity the government he was under comes to be dissolved.

But submitting to the laws of any country, living quietly and enjoying privileges and protection under them, makes not a man a member of that society; it is only a local protection and homage due to and from all those who, not being in a state of war, come within the territories belonging to any government, to all parts whereof the force of its law extends. But this no more makes a man a member of that society, a perpetual subject of that commonwealth, than it would make a man a subject to another in whose family he found it convenient to abide for some time, though, whilst he continued in it, he were obliged to comply with the laws and submit to the government he found there. And thus we see that foreigners, by living all their lives under another government, and enjoying the privileges and protection of it, though they are bound, even in conscience, to submit to its administration as far forth as any denizen, yet do not thereby come to be subjects or members of that commonwealth. Nothing can make any man so but his actually entering into it by positive engagement and express promise and compact. This is that which, I think, concerning the beginning of political societies, and that consent which makes any one a member of any commonwealth.

Chapter IX Of the Ends of Political Society and Government

If man in the state of Nature be so free as has been said, if he be absolute lord of his own person and possessions, equal to the greatest and subject to nobody, why will he part with his freedom, 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 hath 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 the greater part no strict observers of equity and justice, the enjoyment of the property he has in this state is very unsafe, very insecure. This makes him willing to quit this condition which, however free, is full of fears and continual dangers; 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, and putting themselves under government, is the preservation of their property; to which in the state of Nature there are many things wanting.

Firstly, there wants an established, settled, known law, received and allowed by common consent to be the standard of right and wrong, and the common measure to decide all controversies between them. For though the law of Nature be plain and intelligible to all rational creatures, yet men, being biased by their interest, as well as ignorant for want of study of it, are not apt to allow of it as a law binding to them in the application of it to their particular cases.

Secondly, in the state of Nature there wants a known and indifferent judge, with authority to determine all differences according to the established law. For every one in that state being both judge and executioner of the law of Nature, men being partial to themselves, passion and revenge is very apt to carry them too far, and with too much heat in their own cases, as well as negligence and unconcernedness, make them too remiss in other men's.

Thirdly, in the state of Nature there often wants power to back and support the sentence when right, and to give it due execution. They who by any injustice offended will seldom fail

where they are able by force to make good their injustice. Such resistance many times makes the punishment dangerous, and frequently destructive to those who attempt it.

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REVIEW QUESTIONS

1. According to Locke, what is the nature of political society?
2. How does political society come into being?
3. How does Locke's notion of a social contract compare with that of Hobbes?
4. What are the ends of political society?
5. What are the implications of Locke's reasoning for early modern economic thinking?

MARQUIS DE VAUBAN AND CURÉ OF RUMEGIES

Early Modern Society

Much of our knowledge about the economy and society of early modern Europe comes from contemporary accounts. For many reasons, individuals described the life and times of which they were part. Some, like Sébastien Le Prestre, Marquis de Vauban (1633–1707), labored in the service of the state. A French military engineer and genius in the construction of fortifications under Louis XIV, he studied the society and economy of the Kingdom of France to determine its military capacity, the human and material resources that could be mobilized for war in pursuit of royal policy. The result was a series of sober, accurate descriptions of the French population. Others, like Henri Platelle, an obscure parish priest in the village of Rumegies, chronicled their own experiences and observations. The chance survival of Platelle's 1693 journal provides us with a firsthand account of the starkness of daily life in early modern Europe and the struggles of poor peasants simply to survive.

From *Ancien Regime: French Society, 1600–1750*, by Pierre Goubert (New York: Harper-Collins, 1973), pp. 116–18.

Marquis de Vauban

FROM *Description Geographique de l'Election de Vezelay*

* * *

... All the so-called *bas peuple* live on nothing but bread of mixed barley and oats, from which they do not even remove the bran, which means

that bread can sometimes be lifted by the straw sticking out of it. They also eat poor fruits, mainly wild, and a few vegetables from their gardens, boiled up with a little rape- or nut-oil sometimes, but more often not, or with a pinch of salt. Only the most prosperous eat bread made of rye mixed with barley and wheat.

... The general run of people seldom drink, eat meat not three times a year, and use little salt. ... So it is no cause for surprise if people who

of having been faithful to their own principles; who, I say, can, without horror, think of their being torn to pieces, with slow and studied barbarity, by men endowed with the same passions and the same feelings? A delightful spectacle to a fanatic multitude!

REVIEW QUESTIONS

1. According to Beccaria, what is the proper basis of law in human society?

2. What is the legal purpose and function of punishment?
3. Why is torture irrational?
4. What does Beccaria's criminal theory reveal about his assumptions concerning human nature and human society?
5. What aspects of Beccaria's thought qualify as *enlightened* in the strict, historical sense of the term?

JEAN-JACQUES ROUSSEAU

FROM *The Social Contract*

Jean-Jacques Rousseau (1712–1778) was one of the most original writers of the Enlightenment. A native of Geneva, he was raised by his father, a watchmaker. At sixteen years of age, he left home and eventually settled in Paris. His first attempts to penetrate the world of philosophes and encyclopedists were not very successful. In 1750, however, he won a literary award from the Academy of Dijon for an essay that contrasted the corruption of modern civilization with the natural goodness of simple, uncivilized human beings. Rousseau eventually settled in the town of Montmorency. His years there proved to be the most fruitful of his life. In a two-year span he wrote his most significant works: *La nouvelle Héloïse* (1761), *Émile* (1761), *Le contrat social* (1762).

In *The Social Contract*, as well as his other works, Rousseau struggled with the freedom of the individual and how to balance it against the needs of the collectivity. He believed the preservation of liberty depended on the creation of a new society by means of a social contract. The idea was not new, having been adopted by other enlightened thinkers from the political theory of John Locke. Rousseau's interpretation was highly original, however. Locke believed that the social contract preserved freedom; Rousseau argued that the social contract preserved equality. Under his social contract, people voluntarily relinquished certain rights and submitted to the general will, a vague entity that found expression in a set of positive laws under a virtuous legislator. These laws had absolute authority and would preserve absolute equality between people.

From *The Social Contract*, by Jean-Jacques Rousseau, translated by Henry J. Tozer (New York: Scribner's, 1898).

Book I

I mean to inquire if, in the civil order, there can be any sure and legitimate rule of administration, men being taken as they are and laws as they might be. In this inquiry I shall endeavour always to unite what right sanctions with what is prescribed by interest, in order that justice and utility may in no case be divided.

I enter upon my task without proving the importance of the subject. I shall be asked if I am a prince or a legislator, to write on politics. I answer that I am neither, and that is why I do so. If I were a prince or a legislator, I should not waste time in saying what wants doing; I should do it, or hold my peace.

As I was born a citizen of a free State, and a member of the Sovereign, I feel that, however feeble the influence my voice can have on public affairs, the right of voting on them makes it my duty to study them: and I am happy, when I reflect upon governments, to find my inquiries always furnish me with new reasons for loving that of my own country.

CHAPTER I
SUBJECT OF THE FIRST BOOK

Man is born free; and everywhere he is in chains. One thinks himself the master of others, and still remains a greater slave than they. How did this change come about? I do not know. What can make it legitimate? That question I think I can answer.

If I took into account only force, and the effects derived from it, I should say: "As long as a people is compelled to obey, and obeys, it does well; as soon as it can shake off the yoke, and shakes it off, it does still better; for, regaining its liberty by the same right as took it away, either it is justified in resuming it, or there was no justification for those who took it away." But the social order is a sacred right which is the basis of all rights. Nevertheless, this right does not come from nature, and must therefore be founded on conventions. Before coming to that, I have to prove what I have just asserted.

CHAPTER II
THE FIRST SOCIETIES

The most ancient of all societies, and the only one that is natural, is the family: and even so the children remain attached to the father only so long as they need him for their preservation. As soon as this need ceases, the natural bond is dissolved. The children, released from the obedience they owed to the father, and the father, released from the care he owed his children, return equally to independence. If they remain united, they continue so no longer naturally, but voluntarily; and the family itself is then maintained only by convention.

This common liberty results from the nature of man. His first law is to provide for his own preservation, his first cares are those which he owes to himself; and, as soon as he reaches years of discretion, he is the sole judge of the proper means of preserving himself, and consequently becomes his own master.

The family then may be called the first model of political societies: the ruler corresponds to the father, and the people to the children; and all, being born free and equal, alienate their liberty only for their own advantage. The whole difference is that, in the family, the love of the father for his children repays him for the care he takes of them, while, in the State, the pleasure of commanding takes the place of the love which the chief cannot have for the peoples under him.

Grotius denies that all human power is established in favour of the governed, and quotes slavery as an example. His usual method of reasoning is constantly to establish right by fact. It would be possible to employ a more logical method, but none could be more favourable to tyrants.

It is then, according to Grotius, doubtful whether the human race belongs to a hundred men, or that hundred men to the human race: and, throughout his book, he seems to incline to the former alternative, which is also the view of Hobbes. On this showing, the human species is divided into so many herds of cattle, each with its ruler, who keeps guard over them for the purpose of devouring them.

As a shepherd is of a nature superior to that of his flock, the shepherds of men, i.e. their rulers, are of a nature superior to that of the peoples under them. Thus, Philo tells us, the Emperor Caligula reasoned, concluding equally well either that kings were gods, or that men were beasts.

The reasoning of Caligula agrees with that of Hobbes and Grotius. Aristotle, before any of them, had said that men are by no means equal naturally, but that some are born for slavery, and others for dominion.

Aristotle was right; but he took the effect for the cause. Nothing can be more certain than that every man born in slavery is born for slavery. Slaves lose everything in their chains, even the desire of escaping from them: they love their servitude, as the comrades of Ulysses loved their brutish condition. If then there are slaves by nature, it is because there have been slaves against nature. Force made the first slaves, and their cowardice perpetuated the condition.

I have said nothing of King Adam, or Emperor Noah, father of the three great monarchs who shared out the universe, like the children of Saturn, whom some scholars have recognized in them. I trust to getting due thanks for my moderation; for, being a direct descendant of one of these princes, perhaps of the eldest branch, how do I know that a verification of titles might not leave me the legitimate king of the human race? In any case, there can be no doubt that Adam was sovereign of the world, as Robinson Crusoe was of his island, as long as he was its only inhabitant; and this empire had the advantage that the monarch, safe on his throne, had no rebellions, wars, or conspirators to fear.

CHAPTER III THE RIGHT OF THE STRONGEST

The strongest is never strong enough to be always the master, unless he transforms strength into right, and obedience into duty. Hence the right of the strongest, which, though to all seeming meant ironically, is really laid down as a fundamental principle. But are we never to have an explanation

of this phrase? Force is a physical power, and I fail to see what moral effect it can have. To yield to force is an act of necessity, not of will—at the most, an act of prudence. In what sense can it be a duty?

Suppose for a moment that this so-called "right" exists. I maintain that the sole result is a mass of inexplicable nonsense. For, if force creates right, the effect changes with the cause: every force that is greater than the first succeeds to its right. As soon as it is possible to disobey with impunity, disobedience is legitimate; and, the strongest being always in the right, the only thing that matters is to act so as to become the strongest. But what kind of right is that which perishes when force fails? If we must obey perforce, there is no need to obey because we ought; and if we are not forced to obey, we are under no obligation to do so. Clearly, the word "right" adds nothing to force: in this connection, it means absolutely nothing.

Obey the powers that be. If this means yield to force, it is a good precept, but superfluous: I can answer for its never being violated. All power comes from God, I admit; but so does all sickness; does that mean that we are forbidden to call in the doctor? A brigand surprises me at the edge of a wood: must I not merely surrender my purse on compulsion; but, even if I could withhold it, am I in conscience bound to give it up? For certainly the pistol he holds is also a power.

Let us then admit that force does not create right, and that we are obliged to obey only legitimate powers. In that case, my original question recurs.

CHAPTER IV SLAVERY

Since no man has a natural authority over his fellow, and force creates no right, we must conclude that conventions form the basis of all legitimate authority among men.

If an individual, says Grotius, can alienate his liberty and make himself the slave of a master, why could not a whole people do the same and make itself subject to a king? There are in this

passage plenty of ambiguous words which would need explaining; but let us confine ourselves to the word *alienate*. To alienate is to give or to sell. Now, a man who becomes the slave of another does not give himself; he sells himself, at the least for his subsistence: but for what does a people sell itself? A king is so far from furnishing his subjects with their subsistence that he gets his own only from them; and, according to Rabelais, kings do not live on nothing. Do subjects then give their persons on condition that the king takes their goods also? I fail to see what they have left to preserve.

It will be said that the despot assures his subjects civil tranquillity. Granted; but what do they gain, if the wars his ambition brings down upon them, his insatiable avidity, and the vexatious conduct of his ministers press harder on them than their own dissensions would have done? What do they gain, if the very tranquillity they enjoy is one of their miseries? Tranquillity is found also in dungeons; but is that enough to make them desirable places to live in? The Greeks imprisoned in the cave of the Cyclops lived there very tranquilly, while they were awaiting their turn to be devoured.

To say that a man gives himself gratuitously, is to say what is absurd and inconceivable; such an act is null and illegitimate, from the mere fact that he who does it is out of his mind. To say the same of a whole people is to suppose a people of madmen; and madness creates no right.

Even if each man could alienate himself, he could not alienate his children: they are born men and free; their liberty belongs to them, and no one but they has the right to dispose of it. Before they come to years of discretion, the father can, in their name, lay down conditions for their preservation and well-being, but he cannot give them irrevocably and without conditions: such a gift is contrary to the ends of nature, and exceeds the rights of paternity. It would therefore be necessary, in order to legitimize an arbitrary government, that in every generation the people should be in a position to accept or reject it; but, were this so, the government would be no longer arbitrary.

To renounce liberty is to renounce being a man, to surrender the rights of humanity and even its duties. For him who renounces everything no indemnity is possible. Such a renunciation is incompatible with man's nature; to remove all liberty from his will is to remove all morality from his acts. Finally, it is an empty and contradictory convention that sets up, on the one side, absolute authority, and, on the other, unlimited obedience. Is it not clear that we can be under no obligation to a person from whom we have the right to exact everything? Does not this condition alone, in the absence of equivalence or exchange, in itself involve the nullity of the act? For what right can my slave have against me, when all that he has belongs to me, and, his right being mine, this right of mine against myself is a phrase devoid of meaning?

Grotius and the rest find in war another origin for the so-called right of slavery. The victor having, as they hold, the right of killing the vanquished, the latter can buy back his life at the price of his liberty; and this convention is the more legitimate because it is to the advantage of both parties.

But it is clear that this supposed right to kill the conquered is by no means deducible from the state of war. Men, from the mere fact that, while they are living in their primitive independence, they have no mutual relations stable enough to constitute either the state of peace or the state of war, cannot be naturally enemies. War is constituted by a relation between things, and not between persons; and, as the state of war cannot arise out of simple personal relations, but only out of real relations, private war, or war of man with man, can exist neither in the state of nature, where there is no constant property, nor in the social state, where everything is under the authority of the laws.

Individual combats, duels, and encounters, are acts which cannot constitute a state; while the private wars, authorized by the Establishments of Louis IX, King of France, and suspended by the Peace of God, are abuses of feudalism, in itself an absurd system if ever there was one, and contrary to the principles of natural right and to all good polity.

War then is a relation, not between man and

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man, but between State and State, and individuals
 are enemies only accidentally, not as men, nor even
 as citizens, but as soldiers; not as members of their
 country, but as its defenders. Finally, each State
 can have for enemies only other States, and not
 men; for between things disparate in nature there
 can be no real relation.

Furthermore, this principle is in conformity
 with the established rules of all times and the con-
 stant practice of all civilized peoples. Declarations
 of war are intimations less to powers than to their
 subjects. The foreigner, whether king, individual,
 or people, who robs, kills, or detains the subjects,
 without declaring war on the prince, is not an en-
 emy, but a brigand. Even in real war, a just prince,
 while laying hands, in the enemy's country, on all
 that belongs to the public, respects the lives and
 goods of individuals: he respects rights on which
 his own are founded. The object of the war being
 the destruction of the hostile State, the other side
 has a right to kill its defenders, while they are
 bearing arms; but as soon as they lay them down
 and surrender, they cease to be enemies or instru-
 ments of the enemy, and become once more
 merely men, whose life no one has any right to
 take. Sometimes it is possible to kill the State with-
 out killing a single one of its members; and war
 gives no right which is not necessary to the gaining
 of its object. These principles are not those of Gro-
 tius: they are not based on the authority of poets,
 but derived from the nature of reality and based
 on reason.

The right of conquest has no foundation other
 than the right of the strongest. If war does not
 give the conqueror the right to massacre the con-
 quered peoples, the right to enslave them cannot
 be based upon a right which does not exist. No
 one has a right to kill an enemy except when he
 cannot make him a slave, and the right to enslave
 him cannot therefore be derived from the right to
 kill him. It is accordingly an unfair exchange to
 make him buy at the price of his liberty his life,
 over which the victor holds no right. Is it not clear
 that there is a vicious circle in founding the right
 of life and death on the right of slavery, and the
 right of slavery on the right of life and death?

Even if we assume this terrible right to kill
 everybody, I maintain that a slave made in war,
 or a conquered people, is under no obligation to
 a master, except to obey him as far as he is com-
 pelled to do so. By taking an equivalent for his
 life, the victor has not done him a favour; instead
 of killing him without profit, he has killed him
 usefully. So far then is he from acquiring over him
 any authority in addition to that of force, that the
 state of war continues to subsist between them:
 their mutual relation is the effect of it, and the
 usage of the right of war does not imply a treaty
 of peace. A convention has indeed been made; but
 this convention, so far from destroying the state
 of war, presupposes its continuance.

So, from whatever aspect we regard the ques-
 tion, the right of slavery is null and void, not only
 as being illegitimate, but also because it is absurd
 and meaningless. The words *slave* and *right* con-
 tradict each other, and are mutually exclusive. It
 will always be equally foolish for a man to say to
 a man or to a people: "I make with you a con-
 vention wholly at your expense and wholly to my
 advantage; I shall keep it as long as I like, and you
 will keep it as long as I like."

* * *

CHAPTER VI THE SOCIAL COMPACT

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

But, as men cannot engender new forces, but
 only unite and direct existing ones, they have no
 other means of preserving themselves than the for-
 mation, by aggregation, of a sum of forces great
 enough to overcome the resistance. These they
 have to bring into play by means of a single mo-
 tive power, and cause to act in concert.

This sum of forces can arise only where several persons come together: but, as the force and liberty of each man are the chief instruments of his self-preservation, how can he pledge them without harming his own interests, and neglecting the care he owes to himself? This difficulty, in its bearing on my present subject, may be stated in the following terms:

"The problem is to find a form of association which will defend and protect with the whole common force the person and goods of each associate, and in which each, while uniting himself with all, may still obey himself alone, and remain as free as before." This is the fundamental problem of which the *Social Contract* provides the solution.

The clauses of this contract are so determined by the nature of the act that the slightest modification would make them vain and ineffective; so that, although they have perhaps never been formally set forth, they are everywhere the same and everywhere tacitly admitted and recognized, until, on the violation of the social compact, each regains his original rights and resumes his natural liberty, while losing the conventional liberty in favour of which he renounced it.

These clauses, properly understood, may be reduced to one—the total alienation of each associate, together with all his rights, to the whole community; for, in the first place, as each gives himself absolutely, the conditions are the same for all; and, this being so, no one has any interest in making them burdensome to others.

Moreover, the alienation being without reserve, the union is as perfect as it can be, and no associate has anything more to demand: for, if the individuals retained certain rights, as there would be no common superior to decide between them and the public, each, being on one point his own judge, would ask to be so on all; the state of nature would thus continue, and the association would necessarily become inoperative or tyrannical.

Finally, each man, in giving himself to all, gives himself to nobody; and as there is no associate over which he does not acquire the same right as he yields others over himself, he gains an

equivalent for everything he loses, and an increase of force for the preservation of what he has.

If then we discard from the social compact what is not of its essence, we shall find that it reduces itself to the following terms:

"Each of us puts his person and all his power in common under the supreme direction of the general will, and, in our corporate capacity, we receive each member as an indivisible part of the whole."

At once, in place of the individual personality of each contracting party, this act of association creates a moral and collective body, composed of as many members as the assembly contains voters, and receiving from this act its unity, its common identity, its life, and its will. This public person, so formed by the union of all other persons, formerly took the name of *city*, and now takes that of *Republic* or *body politic*; it is called by its members *State* when passive, *Sovereign* when active, and *Power* when compared with others like itself. Those who are associated in it take collectively the name of *people*, and severally are called *citizens*, as sharing in the sovereign power, and *subjects*, as being under the laws of the State. But these terms are often confused and taken one for another: it is enough to know how to distinguish them when they are being used with precision.

CHAPTER VII THE SOVEREIGN

This formula shows us that the act of association comprises a mutual undertaking between the public and the individuals, and that each individual, in making a contract, as we may say, with himself, is bound in a double capacity; as a member of the Sovereign he is bound to the individuals, and as a member of the State to the Sovereign. But the maxim of civil right, that no one is bound by undertakings made to himself, does not apply in this case; for there is a great difference between incurring an obligation to yourself and incurring one to a whole of which you form a part.

Attention must further be called to the fact that public deliberation, while competent to bind

all the subjects to the Sovereign, because of the two different capacities in which each of them may be regarded, cannot, for the opposite reason, bind the Sovereign to itself; and that it is consequently against the nature of the body politic for the Sovereign to impose on itself a law which it cannot infringe. Being able to regard itself in only one capacity, it is in the position of an individual who makes a contract with himself; and this makes it clear that there neither is nor can be any kind of fundamental law binding on the body of the people—not even the social contract itself. This does not mean that the body politic cannot enter into undertakings with others, provided the contract is not infringed by them; for in relation to what is external to it, it becomes a simple being, an individual.

But the body politic or the Sovereign, drawing its being wholly from the sanctity of the contract, can never bind itself, even to an outsider, to do anything derogatory to the original act, for instance, to alienate any part of itself, or to submit to another Sovereign. Violation of the act by which it exists would be self-annihilation; and that which is itself nothing can create nothing.

As soon as this multitude is so united in one body, it is impossible to offend against one of the members without attacking the body, and still more to offend against the body without the members resenting it. Duty and interest therefore equally oblige the two contracting parties to give each other help; and the same men should seek to combine, in their double capacity, all the advantages dependent upon that capacity.

Again, the Sovereign, being formed wholly of the individuals who compose it, neither has nor can have any interest contrary to theirs; and consequently the sovereign power need give no guarantee to its subjects, because it is impossible for the body to wish to hurt all its members. We shall also see later on that it cannot hurt any in particular. The Sovereign, merely by virtue of what it is, is always what it should be.

This, however, is not the case with the relation of the subjects to the Sovereign, which, despite the

common interest, would have no security that they would fulfil their undertakings, unless it found means to assure itself of their fidelity.

In fact, each individual, as a man, may have a particular will contrary or dissimilar to the general will which he has as a citizen. His particular interest may speak to him quite differently from the common interest: his absolute and naturally independent existence may make him look upon what he owes to the common cause as a gratuitous contribution, the loss of which will do less harm to others than the payment of it is burdensome to himself; and, regarding the moral person which constitutes the State as a *persona ficta*, because not a man, he may wish to enjoy the rights of citizenship without being ready to fulfil the duties of a subject. The continuance of such an injustice could not but prove the undoing of the body politic.

In order then that the social compact may not be an empty formula, it tacitly includes the undertaking, which alone can give force to the rest, that whoever refuses to obey the general will shall be compelled to do so by the whole body. This means nothing less than that he will be forced to be free; for this is the condition which, by giving each citizen to his country, secures him against all personal dependence. In this lies the key to the working of the political machine; this alone legitimizes civil undertakings, which, without it, would be absurd, tyrannical, and liable to the most frightful abuses.

CHAPTER VIII THE CIVIL STATE

The passage from the state of nature to the civil state produces a very remarkable change in man, by substituting justice for instinct in his conduct, and giving his actions the morality they had formerly lacked. Then only, when the voice of duty takes the place of physical impulses and right of appetite, does man, who so far had considered only himself, find that he is forced to act on different principles, and to consult his reason before listening to his inclinations. Although, in this

state, he deprives himself of some advantages which he got from nature, he gains in return others so great, his faculties are so stimulated and developed, his ideas so extended, his feelings so ennobled, and his whole soul so uplifted, that, did not the abuses of this new condition often degrade him below that which he left, he would be bound to bless continually the happy moment which took him from it for ever, and, instead of a stupid and unimaginative animal, made him an intelligent being and a man.

Let us draw up the whole account in terms easily commensurable. What man loses by the social contract is his natural liberty and an unlimited right to everything he tries to get and succeeds in getting; what he gains is civil liberty and the proprietorship of all he possesses. If we are to avoid mistake in weighing one against the other, we must clearly distinguish natural liberty, which is bounded only by the strength of the individual, from civil liberty, which is limited by the general will; and possession, which is merely the effect of force or the right of the first occupier, from property which can be founded only on a positive title.

We might, over and above all this, add, to what man acquires in the civil state, moral liberty, which alone makes him truly master of himself; for the mere impulse of appetite is slavery, while obedience to a law which we prescribe to ourselves is liberty. But I have already said too much on this head, and the philosophical meaning of the word liberty does not now concern us.

* * *

Book II

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CHAPTER III

WHETHER THE GENERAL WILL IS FALLIBLE

It follows from what has gone before that the general will is always right and tends to the pub-

lic advantage; but it does not follow that the deliberations of the people are always equally correct. Our will is always for our own good, but we do not always see what that is; the people is never corrupted, but it is often deceived, and on such occasions only does it seem to will what is bad.

There is often a great deal of difference between the will of all and the general will; the latter considers only the common interest, while the former takes private interest into account, and is no more than a sum of particular wills: but take away from these same wills the pluses and minuses that cancel one another, and the general will remains as the sum of the differences.

If, when the people, being furnished with adequate information, held its deliberations, the citizens had no communication one with another, the grand total of the small differences would always give the general will, and the decision would always be good. But when factions arise, and partial associations are formed at the expense of the great association, the will of each of these associations becomes general in relation to its members, while it remains particular in relation to the State; it may then be said that there are no longer as many votes as there are men, but only as many as there are associations. The differences become less numerous and give a less general result. Lastly, when one of these associations is so great as to prevail over all the rest, the result is no longer a sum of small differences, but a single difference; in this case there is no longer a general will, and the opinion which prevails is purely particular.

It is therefore essential, if the general will is to be able to express itself, that there should be no partial society within the State, and that each citizen should think only his own thoughts: which was indeed the sublime and unique system established by the great Lycurgus. But if there are partial societies, it is best to have as many as possible and to prevent them from being unequal, as was done by Solon, Numa, and Servius. These precautions are the only ones that can guarantee that the general will shall be always enlightened, and that the people shall in no way deceive itself.

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CHAPTER IV
THE LIMITS OF THE SOVEREIGN POWER

If the State is a moral person whose life is in the union of its members, and if the most important of its cares is the care for its own preservation, it must have a universal and compelling force, in order to move and dispose each part as may be most advantageous to the whole. As nature gives each man absolute power over all his members, the social compact gives the body politic absolute power over all its members also; and it is this power which, under the direction of the general will, bears, as I have said, the name of Sovereignty.

But, besides the public person, we have to consider the private persons composing it, whose life and liberty are naturally independent of it. We are bound then to distinguish clearly between the respective rights of the citizens and the Sovereign, and between the duties the former have to fulfil as subjects, and the natural rights they should enjoy as men.

Each man alienates, I admit, by the social compact, only such part of his powers, goods, and liberty as it is important for the community to control; but it must also be granted that the Sovereign is sole judge of what is important.

Every service a citizen can render the State he ought to render as soon as the Sovereign demands it; but the Sovereign, for its part, cannot impose upon its subjects any fetters that are useless to the community, nor can it even wish to do so; for no more by the law of reason than by the law of nature can anything occur without a cause.

The undertakings which bind us to the social body are obligatory only because they are mutual; and their nature is such that in fulfilling them we cannot work for others without working for ourselves. Why is it that the general will is always in the right, and that all continually will the happiness of each one, unless it is because there is not a man who does not think of "each" as meaning him, and consider himself in voting for all? This

proves that equality of rights and the idea of justice which such equality creates originate in the preference each man gives to himself, and accordingly in the very nature of man. It proves that the general will, to be really such, must be general in its object as well as its essence; that it must both come from all and apply to all; and that it loses its natural rectitude when it is directed to some particular and determinate object, because in such a case we are judging of something foreign to us, and have no true principle of equity to guide us.

Indeed, as soon as a question of particular fact or right arises on a point not previously regulated by a general convention, the matter becomes contentious. It is a case in which the individuals concerned are one party, and the public the other, but in which I can see neither the law that ought to be followed nor the judge who ought to give the decision. In such a case, it would be absurd to propose to refer the question to an express decision of the general will, which can be only the conclusion reached by one of the parties and in consequence will be, for the other party, merely an external and particular will, inclined on this occasion to injustice and subject to error. Thus, just as a particular will cannot stand for the general will, the general will, in turn, changes its nature, when its object is particular, and, as general, cannot pronounce on a man or a fact. When, for instance, the people of Athens nominated or displaced its rulers, decreed honours to one, and imposed penalties on another, and, by a multitude of particular decrees, exercised all the functions of government indiscriminately, it had in such cases no longer a general will in the strict sense; it was acting no longer as Sovereign, but as magistrate. This will seem contrary to current views; but I must be given time to expound my own.

It should be seen from the foregoing that what makes the will general is less the number of voters than the common interest uniting them; for, under this system, each necessarily submits to the conditions he imposes on others: and this admirable agreement between interest and justice gives to the common deliberations an equitable character which at once vanishes when any particular

question is discussed, in the absence of a common interest to unite and identify the ruling of the judge with that of the party.

From whatever side we approach our principle, we reach the same conclusion, that the social compact sets up among the citizens an equality of such a kind, that they all bind themselves to observe the same conditions and should therefore all enjoy the same rights. Thus, from the very nature of the compact, every act of Sovereignty, i.e. every authentic act of the general will, binds or favours all the citizens equally; so that the Sovereign recognizes only the body of the nation, and draws no distinctions between those of whom it is made up. What, then, strictly speaking, is an act of Sovereignty? It is not a convention between a superior and an inferior, but a convention between the body and each of its members. It is legitimate, because based on the social contract, and equitable, because common to all; useful, because it can have no other object than the general good, and stable, because guaranteed by the public force and the supreme power. So long as the subjects have to submit only to conventions of this sort, they obey no one but their own will; and to ask how far the respective rights of the Sovereign and the citizens extend, is to ask up to what point the latter can enter into undertakings with themselves, each with all, and all with each.

We can see from this that the sovereign power, absolute, sacred, and inviolable as it is, does not and cannot exceed the limits of general conventions, and that every man may dispose at will of such goods and liberty as these conventions leave him; so that the Sovereign never has a right to lay more charges on one subject than on another, because, in that case, the question becomes particular, and ceases to be within its competency.

When these distinctions have once been admitted, it is seen to be so untrue that there is, in the social contract, any real renunciation on the part of

the individuals, that the position in which they find themselves as a result of the contract is really preferable to that in which they were before. Instead of a renunciation, they have made an advantageous exchange: instead of an uncertain and precarious way of living they have got one that is better and more secure; instead of natural independence they have got liberty, instead of the power to harm others security for themselves, and instead of their strength, which others might overcome, a right which social union makes invincible. Their very life, which they have devoted to the State, is by it constantly protected; and when they risk it in the State's defence, what more are they doing than giving back what they have received from it? What are they doing that they would not do more often and with greater danger in the state of nature, in which they would inevitably have to fight battles at the peril of their lives in defence of that which is the means of their preservation? All have indeed to fight when their country needs them; but then no one has ever to fight for himself. Do we not gain something by running, on behalf of what gives us our security, only some of the risks we should have to run for ourselves, as soon as we lost it?

* * *

REVIEW QUESTIONS

1. How does Rousseau's conception of the origin of political society compare with those of Filmer and Locke?
2. What is the relation between human slavery and human nature?
3. How do relations of subject and ruler come into being?
4. What is the social contract?
5. What is its relation to nature? To reason? To will?

stripped of the virtues that should clothe humanity, they have been decked with artificial graces that enable them to exercise a short-lived tyranny. Love, in their bosoms, taking place of every nobler passion, their sole ambition is to be fair, to raise emotion instead of inspiring respect; and this ignoble desire, like the servility in absolute monarchies, destroys all strength of character. Liberty is the mother of virtue, and if women be, by their very constitution, slaves, and not allowed to breathe the sharp invigorating air of freedom, they must ever languish like exotics, and be reckoned beautiful flaws in nature.

As to the argument respecting the subjection in which the sex has ever been held, it retorts on man. The many have always been enthralled by the few; and monsters, who scarcely have shewn any discernment of human excellence, have tyrannized over thousands of their fellow-creatures. Why have men of superiour endowments submitted to such degradation? For, is it not universally acknowledged that kings, viewed collectively, have ever been inferior, in abilities and virtue, to the same number of men taken from the common mass of mankind—yet, have they not, and are they not still treated with a degree of reverence that is an insult to reason? China is not the only country where a living man has been made a God. *Men* have submitted to superiour strength to enjoy with impunity the pleasure of the moment—*women* have only done the same, and therefore till it is proved that the courtier, who servilely resigns

the birthright of a man, is not a moral agent, it cannot be demonstrated that woman is essentially inferior to man because she has always been subjugated.

Brutal force has hitherto governed the world, and that the science of politics is in its infancy, is evident from philosophers scrupling to give the knowledge most useful to man that determinate distinction.

I shall not pursue this argument any further than to establish an obvious inference, that as sound politics diffuse liberty, mankind, including woman, will become more wise and virtuous.

* * *

REVIEW QUESTIONS

1. What does Wollstonecraft consider to be the then-present state of women?
2. Why should women, according to Wollstonecraft, be offered the same education as men?
3. What would the purpose of such an education be?
4. What does Wollstonecraft take to be the social role of women, and how does her conclusion differ from that of Rousseau?
5. What is virtue, according to Wollstonecraft, and how does it compare with Rousseau's conception?
6. How radical is Wollstonecraft's thought?

IMMANUEL KANT

"What Is Enlightenment?"

Immanuel Kant (1724–1804) was born, lived, and died in Königsberg, eastern Prussia, but wandered much more widely in his mind. A rationalist and disciple of Christian von Wolff, he set himself the task of working out the philosophical implications of Newtonian physics. Appointed to the chair of logic and metaphysics at the

University of Königsberg in 1770, he began work on his great system of critical thought. His trilogy, Critique of Pure Reason (1781), Critique of Practical Reason (1788), and Critique of Judgment (1790), provided the foundations for reliable human knowledge. In addition, he penned popular shorter essays that explained aspects of his thought. One of the most famous of these appears here. Publication of his last great work, Religion in the Bounds of Reason (1793), earned the censure of the Prussian government. Alone and silent, he died a decade later.

From "What Is Enlightenment," translated by Peter Gay, in *Introduction to Contemporary Civilization*, vol. 1 (New York: Columbia University Press, 1954), pp. 1071–76.

Enlightenment is man's emergence from his self-imposed nonage. Nonage is the inability to use one's own understanding without another's guidance. This nonage is self-imposed if its cause lies not in lack of understanding but in indecision and lack of courage to use one's own mind without another's guidance. *Dare to know!* "Have the courage to use your own understanding," is therefore the motto of the enlightenment.

Laziness and cowardice are the reasons why such a large part of mankind gladly remain minors all their lives, long after nature has freed them from external guidance. They are the reasons why it is so easy for others to set themselves up as guardians. It is so comfortable to be a minor. If I have a book that thinks for me, a pastor who acts as my conscience, a physician who prescribes my diet, and so on—then I have no need to exert myself. I have no need to think, if only I can pay; others will take care of that disagreeable business for me. Those guardians who have kindly taken supervision upon themselves see to it that the overwhelming majority of mankind—among them the entire fair sex—should consider the step to maturity not only as hard, but as extremely dangerous. First, these guardians make their domestic cattle stupid and carefully prevent the docile creatures from taking a single step without the leading-strings to which they have fastened them. Then they show them the danger that would threaten them if they should try to walk by themselves. Now, this danger is really not very great; after stumbling a few times they would, at last, learn to walk. However, examples of such failures

intimidate and generally discourage all further attempts.

Thus it is very difficult for the individual to work himself out of the nonage which has become almost second nature to him. He has even grown to like it and is at first really incapable of using his own understanding, because he has never been permitted to try it. Dogmas and formulas, these mechanical tools designed for reasonable use—or rather abuse—of his natural gifts, are the fetters of an everlasting nonage. The man who casts them off would make an uncertain leap over the narrowest ditch, because he is not used to such free movement. That is why there are only a few men who walk firmly, and who have emerged from nonage by cultivating their own minds.

It is more nearly possible, however, for the public to enlighten itself; indeed, if it is only given freedom, enlightenment is almost inevitable. There will always be a few independent thinkers, even among the self-appointed guardians of the multitude. Once such men have thrown off the yoke of nonage, they will spread about them the spirit of a reasonable appreciation of man's value and of his duty to think for himself. It is especially to be noted that the public which was earlier brought under the yoke by these men afterward forces these very guardians to remain in submission, if it is so incited by some of its guardians who are themselves incapable of any enlightenment. That shows how pernicious it is to implant prejudices: they will eventually revenge themselves upon their authors or their authors' descendants. Therefore, a public can achieve en-

lightenment only slowly. A revolution may bring about the end of a personal despotism or of avaricious and tyrannical oppression, but never a true reform of modes of thought. New prejudices will serve, in place of the old, as guidelines for the unthinking multitude.

This enlightenment requires nothing but *freedom*—and the most innocent of all that may be called "freedom": freedom to make public use of one's reason in all matters. Now I hear the cry from all sides: "Do not argue!" The officer says: "Do not argue—drill!" The tax collector: "Do not argue—pay!" The pastor: "Do not argue—believe!" Only one ruler in the world says: "Argue as much as you please, and about what you please, but obey!" We find restrictions on freedom everywhere. But which restriction is harmful to enlightenment? Which restriction is innocent, and which advances enlightenment? I reply: the public use of one's reason must be free at all times, and this alone can bring enlightenment to mankind.

On the other hand, the private use of reason may frequently be narrowly restricted without especially hindering the progress of enlightenment. By "public use of one's reason" I mean that use which a man, as *scholar*, makes of it before the reading public. I call "private use" that use which a man makes of his reason in a civic post that has been entrusted to him. In some affairs affecting the interest of the community a certain governmental mechanism is necessary in which some members of the community remain passive. This creates an artificial unanimity which will serve the fulfillment of public objectives, or at least keep these objectives from being destroyed. Here arguing is not permitted: one must obey. Insofar as a part of this machine considers himself at the same time a member of a universal community—a world society of citizens—(let us say that he thinks of himself as a scholar rationally addressing his public through his writings) he may indeed argue, and the affairs with which he is associated in part as a passive member will not suffer. Thus, it would be very unfortunate if an officer on duty and under orders from his superiors should want to criticize the appropriateness or utility of his or-

ders. He must obey. But as a scholar he could not rightfully be prevented from taking notice of the mistakes in the military service and from submitting his views to his public for its judgment. The citizen cannot refuse to pay the taxes levied upon him; indeed, impertinent censure of such taxes could be punished as a scandal that might cause general disobedience. Nevertheless, this man does not violate the duties of a citizen if, as a scholar, he publicly expresses his objections to the impropriety or possible injustice of such levies. A pastor too is bound to preach to his congregation in accord with the doctrines of the church which he serves, for he was ordained on that condition. But as a scholar he has full freedom, indeed the obligation, to communicate to his public all his carefully examined and constructive thoughts concerning errors in that doctrine and his proposals concerning improvement of religious dogma and church institutions. This is nothing that could burden his conscience. For what he teaches in pursuance of his office as representative of the church, he represents as something which he is not free to teach as he sees it. He speaks as one who is employed to speak in the name and under the orders of another. He will say: "Our church teaches this or that; these are the proofs which it employs." Thus he will benefit his congregation as much as possible by presenting doctrines to which he may not subscribe with full conviction. He can commit himself to teach them because it is not completely impossible that they may contain hidden truth. In any event, he has found nothing in the doctrines that contradicts the heart of religion. For if he believed that such contradictions existed he would not be able to administer his office with a clear conscience. He would have to resign it. Therefore the use which a scholar makes of his reason before the congregation that employs him is only a private use, for, no matter how sizable, this is only a domestic audience. In view of this he, as preacher, is not free and ought not to be free, since he is carrying out the orders of others. On the other hand, as the scholar who speaks to his own public (the world) through his writings, the minister in the public use of his reason enjoys unlimited free-

dom to use his own reason and to speak for himself. That the spiritual guardians of the people should themselves be treated as minors is an absurdity which would result in perpetuating absurdities.

But should a society of ministers, say a Church Council, . . . have the right to commit itself by oath to a certain unalterable doctrine, in order to secure perpetual guardianship over all its members and through them over the people? I say that this is quite impossible. Such a contract, concluded to keep all further enlightenment from humanity, is simply null and void even if it should be confirmed by the sovereign power, by parliaments, and by the most solemn treaties. An epoch cannot conclude a pact that will commit succeeding ages, prevent them from increasing their significant insights, purging themselves of errors, and generally progressing in enlightenment. That would be a crime against human nature, whose proper destiny lies precisely in such progress. Therefore, succeeding ages are fully entitled to repudiate such decisions as unauthorized and outrageous. The touchstone of all those decisions that may be made into law for a people lies in this question: Could a people impose such a law upon itself? Now, it might be possible to introduce a certain order for a definite short period of time in expectation of a better order. But while this provisional order continues, each citizen (above all, each pastor acting as a scholar) should be left free to publish his criticisms of the faults of existing institutions. This should continue until public understanding of these matters has gone so far that, by uniting the voices of many (although not necessarily all) scholars, reform proposals could be brought before the sovereign to protect those congregations which had decided according to their best lights upon an altered religious order, without, however, hindering those who want to remain true to the old institutions. But to agree to a perpetual religious constitution which is not to be publicly questioned by anyone would be, as it were, to annihilate a period of time in the progress of man's improvement. This must be absolutely forbidden.

A man may postpone his own enlightenment,

but only for a limited period of time. And to give up enlightenment altogether, either for oneself or one's descendants, is to violate and to trample upon the sacred rights of man. What a people may not decide for itself may even less be decided for it by a monarch, for his reputation as a ruler consists precisely in the way in which he unites the will of the whole people within his own. If he only sees to it that all true or supposed improvement remains in step with the civic order, he can for the rest leave his subjects alone to do what they find necessary for the salvation of their souls. Salvation is none of his business; it is his business to prevent one man from forcibly keeping another from determining and promoting his salvation to the best of his ability. Indeed, it would be prejudicial to his majesty if he meddled in these matters and supervised the writings in which his subjects seek to bring their views into the open, even when he does this from his own highest insight, because then he exposes himself to the reproach: *Caesar non est supra grammaticos*.¹ It is worse when he debases his sovereign power so far as to support the spiritual despotism of a few tyrants in his state over the rest of his subjects.

When we ask, Are we now living in an enlightened age? the answer is, No, but we live in an age of enlightenment. As matters now stand it is still far from true that men are already capable of using their own reason in religious matters confidently and correctly without external guidance. Still, we have some obvious indications that the field of working toward the goal of religious truth is now being opened. What is more, the hindrances against general enlightenment or the emergence from self-imposed nonage are gradually diminishing. In this respect this is the age of the enlightenment and the century of Frederick.

A prince ought not to deem it beneath his dignity to state that he considers it his duty not to dictate anything to his subjects in religious matters, but to leave them complete freedom. If he repudiates the arrogant word *tolerant*, he is himself enlightened; he deserves to be praised by a

¹ "Caesar is not above grammarians."

grateful world and posterity as that man who was the first to liberate mankind from dependence, at least on the government, and let everybody use his own reason in matters of conscience. Under his reign, honorable pastors, acting as scholars and regardless of the duties of their office, can freely and openly publish their ideas to the world for inspection, although they deviate here and there from accepted doctrine. This is even more true of every other person not restrained by any oath of office. This spirit of freedom is spreading beyond the boundaries of Prussia, even where it has to struggle against the external hindrances established by a government that fails to grasp its true interest. Frederick's Prussia is a shining example that freedom need not cause the least worry concerning public order or the unity of the community. When one does not deliberately attempt to keep men in barbarism, they will gradually work out of that condition by themselves.

I have emphasized the main point of the enlightenment—man's emergence from his self-imposed nonage—primarily in religious matters, because our rulers have no interest in playing the guardian to their subjects in the arts and sciences. Above all, nonage in religion is not only the most harmful but the most dishonorable. But the disposition of a sovereign ruler who favors freedom in the arts and sciences goes even further: he knows that there is no danger in permitting his subjects to make public use of their reason and to publish their ideas concerning a better constitution, as well as candid criticism of existing basic laws. We already have a striking example [of such freedom], and no monarch can match the one whom we venerate.

But only the man who is himself enlightened, who is not afraid of shadows, and who commands at the same time a well-disciplined and numerous army as guarantor of public peace—only he can say what a free state cannot dare to say: "Argue as much as you like, and about what you like, but obey!" Thus we observe here as elsewhere in human affairs, in which almost everything is paradoxical, a surprising and unexpected course of events: a large degree of civic freedom appears to be of advantage to the intellectual freedom of the people, yet at the same time it establishes insurmountable barriers. A lesser degree of civic freedom, however, creates room to let that free spirit expand to the limits of its capacity. Nature, then, has carefully cultivated the seed within the hard core—namely, the urge for and the vocation of free thought. And this free thought gradually reacts back on the modes of thought of the people, and men become more and more capable of acting in freedom. At last free thought acts even on the fundamentals of government, and the state finds it agreeable to treat man, who is now more than a machine, in accord with his dignity.

REVIEW QUESTIONS

1. What is enlightenment?
2. What is its relation to habit? To freedom? To revolution?
3. What is the relation of enlightenment to argument? Why?
4. Why should reasoning be public?
5. How does Kant define "public"?
6. Is the church public or private?