Chapter 6  Towards the Modern State

(a) Scholasticism

In the new Dark Ages which followed the Christianisation and collapse of the Roman Empire the legacy of Athens was all but forgotten in Western Europe, kept alive only through Islamic culture and scholarship. While a Stoicised version of Platonism was combined with Christianity by Augustine (354-430) and others in the early Church, Aristotle was only known in the Arabic translations and commentaries of Avicenna (980-1037) and Averroes (1126-1198). Only as Europe began to wake up from its Christian-feudal sleep did scholar-monks begin to translate Aristotle’s works directly into Latin.

The Politics was one of the last of these works to be translated, in about 1260, and at first it encountered great opposition inside the Church. The idea that society exists ‘by nature’ seemed to contradict Augustine’s conviction that social life, ‘the City of Man’, was spiritually lower than ‘the City of God’. ‘Man is the image and resemblance of God on Earth’, he wrote. Governments were needed, thought the devout theologians, only because of man’s sinful character. Averroes’ interpretation of Aristotle, which held that human consciousness was a unity, a single world-intellect, opposed the idea of the individual soul, and Aristotelians who got into trouble were often accused of ‘Averroesism’.

But, in the thirteenth century, some scholars, led by Albertus Magnus (1206-1280), began to synthesise Aristotle with Augustinian Christianity. It was Albertus’s pupil, the Dominican monk Thomas Aquinas (1225-1274), who managed to construct a system of thought on this foundation, codifying everything from cosmology to contraception. Only after a struggle was Thomas canonised and his ideas made into an established part of Catholic thinking for centuries to come.

Although he constantly employs the pagan Aristotle (‘the Philosopher’) in the service of the Church, Aquinas breaks away from his Greek master at crucial points in his work. Aristotle had a scale of forms of knowledge, with sense-perception (aisthesis) at the bottom, followed by memory (mneme), experience (empeiria), art (techne), science (episteme) and, at the very top, wisdom (sophia). Now, Aquinas finds a corresponding pecking order of sciences, but theology must occupy the highest level. He also requires a three-tier system of law: divine, natural and positive.

So Aristotle’s lively spirit of inquiry through discussion is replaced by a fixed structure, in which there is a correct answer to every question. (As is well known, if you weren’t quite sure just what was ‘correct’, the Church could help you to see the truth by methods which were not always entirely philosophical.) The complete system is enclosed within a hierarchical conception of reality, a cosmology deriving more from early Christian neo-Platonism than from Aristotle. In place of Aristotle’s organic network of cause and effect, with the ‘unmoved mover’ at its beginning, Aquinas places his three-in-one God firmly at the top, with angels in the next level, humans below that, and the rest of animate and
inanimate creation down below. This entire outlook fits well, of course, with the feudal structure of medieval society. Aquinas thought this was because feudalism expressed the will of the Almighty, rather than his cosmology being the spiritual expression of feudalism.

Not surprisingly, Aquinas uses the *Politics* to formulate ideas about government which are welcome to the sacred and secular powers of his time. At the very start of his unfinished treatise ‘On Kingship’, (commissioned by the King of Cyprus), Aquinas states that ‘men in society must be under rulers’. ‘If it is natural for men to live in association with others, there must be some way for them to be governed’, and ‘it is best for a human group to be ruled by one person’. He wants this ruler to be ‘just’, of course, but democracy is definitely ruled out.

An interesting question arises about what to do with an unjust ruler. In the equivalent of his doctoral dissertation in 1256, the young Aquinas argues that: ‘The Christian is obliged to obey authority that comes from God, but not that which is not from God.’ And, quoting Cicero, he declares that ‘someone who kills a tyrant to liberate his country is to be praised and rewarded’. Ten years later, Aquinas has mellowed a bit: ‘However, if no human aid is possible against the tyrant, recourse is to be made to God, the king of all, who is the help of those in tribulation’. [1]

Aquinas’ discussion of slavery presents an interesting example of his differences with Aristotle. As we saw, Aristotle, himself an owner of household slaves, still believes that slavery is not always just. Only some people are ‘natural slaves’, and the enslavement of others, even if it is necessary for the life of the polis, is a necessary evil. But Aquinas, in his commentary on the *Politics*, is less equivocal: enslavement through conquest is perfectly just, and good for both the conqueror and the conquered.

This is particularly important in relation to the concept of ‘natural law’. As we have seen, Aristotle (*Ethics*, V, 8) uses the concept of natural justice, but always stresses that its implementation is determined by the decisions of the rulers. ‘While natural justice certainly exists, the rules under which justice is administers is everywhere being modified.’ Aquinas, on the contrary, believes that ‘positive law’ (*lex*) is hemmed in by ‘natural law’ (*jus*), while over both of them stands the ‘divine law’. At the end of the day, the decisions of the just ruler are subject to God’s power, and the teachings of the Church are left intact. While utilising Aristotle’s method of reasoning, Aquinas skilfully makes sure that the conclusions to which it leads are never out of line with Holy Scripture, which embodies divine revelation.

We must not forget that Aquinas was working at the time when the social order in Europe was already entering the centuries of its dissolution. As in Athens, philosophy comes on the scene when the reality it seeks to explain is coming to the end of its natural shelf-life. Aquinas’ understanding of the relation of individual and society points to the development of modern political thought. While Aristotle saw ethics and politics as studying inseparable aspects of the Good, Aquinas carefully distinguishes their respective
spheres. Because each human has an individual, immortal soul, the city is not an organic unity. The goodness of each individual is a matter of his relation with God, quite distinct from the common good, which is in the hands of other, more mundane forces. For Aquinas, ethics and politics are quite independent sciences, and economic life is set apart from each of them.

(b) Machiavelli

As the feudal structures decay, and as market forces come to play an increasing part in the lives of West Europeans, and the modern state takes shape, thinkers begin more and more to see humans as individuals, as ‘selves’, existing independently of political forms. Humanists like Erasmus (1466-1536), Rabelais (1493-1553), Pico della Mirandola (1463-94) and Montaigne (1533-1592) challenge the powers-that-be. Despite the violent religious clashes going on around them, they write about how independent individuals could live freely and harmoniously. Moving in a different direction, Martin Luther (1483-1546), originally an Augustinian monk, took the development of individualism to the door of the Church, with uncompromising intolerance. John Calvin (1509-1564) and his followers describe a community of individuals, whose social organisation and personal lives are pre-arranged by the Almighty. To clarify their philosophical disagreements, proponents of such views often find it helpful to burn each other.

In general, the thinkers of the seventeenth and eighteenth centuries reflect the growing dominance of market relations over the whole of social life. Humans are seen as independent, self-interested individuals, existing prior to society, but coming together in a social structure, where they are linked by money and governed by a state power. But this poses a huge problem: if God and His Holy Church are not available as the ultimate referees, how can these social atoms be united into a single social whole? Through what procedure could the mass of independent individuals be persuaded to accept an ordered structure?

Even today, the name of Nicolo Machiavelli (1469-1527) is a byword for the separation of ethics and politics. The brutal frankness of The Prince, with its rigorous and open analysis of the way that individual rulers could take and hold power, enraged the powers that-be. Apparently, this came as a surprise to this career civil servant and diplomat. When the Medicis took over Florence, his position as a servant of the previous regime was violently terminated. Apparently, he still hoped they would employ him, even after they had imprisoned and tortured him a bit. It was surely with misplaced optimism that he made The Prince part of his job application.

What this book ruthlessly demonstrates is that ethical politics has no place in the existing world of power. Moreover, this is a world where God’s Will plays no part at all. Here, the resolute prince must seize each opportunity granted by Fortune (fortuna), using all his manly courage and skill (virtù) to press forward social and political change. In Chapter XXV, ‘On Fortune’s Role in Human Affairs and how she can be Dealt With’,
Machiavelli assesses the respective importance of Fortune and will: ‘Nevertheless, in order that our free will be not extinguished, I judge it to be true that Fortune is the arbiter of one half of our actions, but that she leaves control of the other half, or almost that, to us. … She shows her force where there is no organised strength to resist her.’

Machiavelli’s understanding of Fortune is no way leads him to a passive conception of social action. Fortuna is a Roman goddess, not the Christian Providence, and she responds to forceful treatment, thinks this most politically incorrect thinker. Moral law has nothing to do with it. What so enraged Machiavelli’s readers was his refusal to disguise this reality. For instance, in Chapter VIII, ‘On Those who have become Princes through Wickedness’, he advises anyone recognising the applicability of this description how to behave:

In taking a state its conqueror should weigh all the harmful things he must do and do them all at once so as not to have to repeat them every day, and in not repeating them to be able to make men feel secure and win them over with the benefits he bestows upon them.

Welcome to the modern world! Chapter XVII, which has the title: ‘On Cruelty and Mercy and Whether it is Better to be Loved or the Contrary’, explains that

men are less hesitant about harming someone who makes himself loved than one who makes himself feared because love is held together by a chain of obligation, which, since men are a sorry lot, is broken on every occasion on which their own self-interest is concerned; but fear is held together by a dread of punishment which will never abandon you.

It is as if someone published a best-seller called ‘How to be a spin-doctor’. Such a publication might not be welcomed by the politicians it was meant to benefit.

Machiavelli has little time for ‘writers who have imagined for themselves republics and principalities that have never been seen nor known to exist in reality’. Drawing historical examples from classical history, as well as from his own time, including his own extensive personal experience, he wants to describe the world as it actually is. This refusal to conceal reality was what led many people to denounce his ‘immorality’, falsely accusing him of making ‘the ends justify the means’. In fact, it is in the penultimate Chapter XVIII, ‘How a Prince should Keep his Word’, that the much mistranslated phrase occurs, in a passage showing Machiavelli’s harsh realism.

Everyone sees what you seem to be, few perceive what you are, and those few do not dare to contradict the opinion of the many who have the majesty of the state to defend them; and in the actions of all men, and especially of princes, where there is no impartial arbiter, one must consider the final result. Let a prince therefore act to seize and to maintain the state; his methods will be judged honourable and will be praised by all.
Christian authors had, of course, always explained how honesty was the best policy, in the face of all evidence to the contrary. Expediency would always be moral and vice versa, they assured their readers. Machiavelli pretends to be sad to tell us that this doesn’t really work at all. (The pious ones knew this too, of course, but didn’t like to say so.) ‘A man who wishes to make a vocation of being good at all times will come to ruin among so many who are not good.’ (It would be worth while pondering the relation between this idea and the theme of another important work of ethical theory: Heller’s Catch 22. Yossarian’s argument is very close to that of Machiavelli.) Finally, Machiavelli exhorts the Prince ‘to Liberate Italy from the Barbarians’, founding a unity of free city-states.

When Machiavelli wrote The Prince 1513, he had to interrupt work on a longer book, the Discourses on the first ten books of Titus Livius. This is a detailed comparison of the contemporary condition of Italy with Machiavelli’s ideal model: the Roman Republic. In it, he presents his own preferences for republicanism in a manner which would have been quite inappropriate in The Prince. However, a republic must be founded by a great single figure, and if this involves violent acts, they may be justified. ‘For one should reproach a man who is violent in order to destroy, not one who is violent in order to mend things’. (Book 1, Chapter IX.) Most people, he thinks, will give their backing to tyranny, instead of earning ‘fame, glory, honour, tranquillity and peace of mind’ by fighting against it.

And yet the title of Chapter LV tells us that ‘where equality exists, no principality can be established, and where equality does not exist, a republic cannot be established’. For ‘the masses are wiser and more constant than a prince’. (Chapter LVIII.) Whereas in The Prince, virtú was a requirement for princes, here it is important for ordinary people. From the history of the ancient Romans he learns how stubbornly a free people will fight for their liberty. ‘For it is the common good and not private gain that makes cities great’. (Book 2, Chapter II.) A citizens’ militia is better than relying on mercenary troops, he is certain, not just because they will fight better, but also because it will help the avoidance of tyranny after military victory.

But this raises a central problem, unique to this writer: how is virtú to be spread among a whole body of citizens? This is the angle from which Machiavelli examines the question of the best form of state. Like Aristotle and others, he accepts the traditional three-way division of monarchy or principality, aristocracy and democracy. None of these is stable: monarchy degenerates into tyranny, aristocracy into oligarchy and democracy into anarchy. For stability a mixture of the three is required. But Machiavelli’s use of this scheme is quite new. For him, the forms make up a cycle, driven round by the conflicts between rich and poor.

But he does not merely seek to avoid such conflict. Instead, he seeks a way to harness it, and believes that this was how the Roman Republic lasted for three centuries. It was precisely ‘the division between the plebeians and the Roman Senate that made the Republic rich and powerful’. (Book 1, chapter 4.) If we can balance out the ‘rich men’s arrogance’ and the ‘people’s licence’, then liberty might remain uncorrupted. This startling idea makes Machiavelli one of the most modern of writers.
At least two seventeenth-century thinkers, far from sharing the general horror of Machiavelli, openly proclaimed their admiration for him. However, while they each lived through an age of political upheaval, their views on many questions are very different. One is the Englishman Thomas Hobbes, the other the Dutch-Portuguese Jew Benedict de Spinoza.

Many writers of their times explicitly and directly oppose Aristotle’s conception of the *zoon politikon*, but Thomas Hobbes (1588-1679) is, as usual, more forthright than most. In his *De Cive* he says that anyone who thinks man is social by nature is stupid. In general, he accepts the picture of Aristotle presented to him by the Scholastics, as may be seen in Chapter 44 of *Leviathan*, ‘Of Darkness from Vain Philosophy, and Fabulous Traditions’. He revels in putting the metaphysical boot in, writing about Aristotle as an example of the errors which are brought into the Church, from the entities and essences of Aristotle: which it may be he knew to be false philosophy; but writ as a thing consonant to, and collaborative of their religion; and fearing the fate of Socrates.

In seventeenth century England, the issue of sovereignty, which caused such enormous upheaval in practice, naturally brought great confusion in theory. The Stuarts asserted that they were monarchs by divine right, but this was no longer carried enough weight to save them. Their Royalist supporters had to combine this with a claim that Charles I also based his kingship on the original consent of the people of England. Their Parliamentary opponents, on the other hand, almost to the time they had their monarch’s head cut off, tried to deny that they were disloyal to the monarchy as such. Even members of the court which sentenced to death ‘Charles Stuart, that man of blood’, wavered in the face of his insistence that God Almighty had appointed him for life - or even longer.

In his time, Hobbes’ name was almost as hated as that of his hero Machiavelli had been. He sought a way to achieve stability and peace through a rigorously scientific investigation of the nature of social life, one which ruthlessly cut through all confusion. Hobbes’ infamous book, *Leviathan* - its brutality still shocks us - attempted to explain the nature of power, as part of a scientific view of Nature. Each component of a vast clockwork operated externally to the rest, pushing and pulling each other into motion. Hobbes starts his Introduction with a confident declaration on the mechanisms of nature and man (women rarely enter into Hobbes’ argument!):

> Nature (the Art whereby God hath made and governs the World) is by the art of man, as in many other things, so in this also imitated, that it can make an artificial animal. For seeing life is but a motion of limbs, the beginning whereof is in some principal part within; why may we not say, that all *automata* (engines that move themselves by springs and wheels as doth a watch) have an artificial life? For
what is the heart, but a spring; and the nerves, but so many strings; and the joints, but so many wheels, giving motion to the whole Body, such as was intended by the artificer? Art goes yet further, imitating that rational and most excellent work of nature, man. For by art is created by that great LEVIATHAN, called a COMMONWEALTH, or STATE, in Latin Civitas, which is but an artificial man.

As Cromwell’s ‘Long Parliament’ began its revolutionary work, Hobbes, who thought the Cromwellians would open the way to anarchy, went to live in Paris. But by 1651 he had fallen out with the Royalists who were his fellow exiles. They were not at all pleased by his open and totally unromantic way of justifying monarchical power. At the same time, his attack on the Papacy enraged his French Catholic hosts. He returned to England, and made his peace with Cromwell, now Lord Protector of a republic who had defeated the Levellers and other radicals.

The cover of the first edition of Leviathan depicts a great, crowned figure, seen on inspection to be made up of many small men. How and why is this artificial machine-made-of-humans constructed? What makes it tick? Hobbes derives its properties from those of the individual components of the mechanism. Men, he tells us, are pushed by ‘appetite or desire’ and pulled by ‘aversion’, especially fear of death. ‘For there is no such thing as perpetual tranquillity of mind while we live here; because life itself is but motion, and can never be without desire, nor without fear.’ Man must seek power, and ‘shuns ... the chiefest of natural evils, which is death’.

From these two assumptions springs the whole of Hobbes’ argument. ‘The POWER of a man, (to take it universally,) is present means, to obtain some future good.’ Men will differ in their natural powers, which mean ‘the eminence of the faculties of body or of mind’. Note that such powers are measured competitively, relative to other men. With their aid, ‘or by fortune’, certain other powers, may be acquired. These ‘are means and instruments to acquire more: as riches, reputation, friends, and the secret working of God, which men call good luck.’ Thus the nature of human society is such that individuals must inevitably clash. By their human nature they must continually seek power over each other.

I put for a general inclination of all mankind, a perpetual and restless desire of power after power, that ceaseth only in death. And the cause of this, is not always that a man hopes for more delight, than he has already attained to; or that he cannot be content with a moderate power: but because he cannot assure the power and means to live well, which he hath present, without the acquisition of more.

It is ‘in the nature of man’ to fight his neighbours, and unless a power over them prevent it, they will kill each other. ‘During the time men live without a common Power to keep them all in awe, they are in a condition which is called war; and such a war, as is of every man, against every man.’
Only if all men put themselves under the absolute control of a central power can they avoid what Hobbes regards as their natural state. As he explains in his most famous passage:

Whatsoever therefore is consequent to a time of war, where every man is enemy to every man; the same is consequent to the time, wherein men live without other security, than what their own strength, and their own invention shall furnish them withal. In such condition, there is no place for Industry; because the fruit thereof is uncertain; no culture of the earth; no navigation, nor use of the commodities that may be imported by sea; no commodious building; no instruments of moving, and removing such things as require much force; no knowledge of the face of the earth; no account of time; no arts; no letters; no society; and, which is worst of all, continual fear, and danger of violent death; and the life of man, solitary, poor, nasty, brutish and short.

In the state of nature, there can be no such thing as justice. ‘For where no Covenant hath preceded, there hath no Right been transferred, and every man has right to every thing; and consequently, no action can be Unjust.’

There are natural laws, but no way to enforce them. Hobbes uses the terms *jus naturale* and *lex naturalis*, but gives them entirely new meanings.

**THE RIGHT OF NATURE**, which writers commonly call *jus naturale*, is the liberty each man hath, to use his own power, as he will himself, for the preservation of his own Nature. ... By **LIBERTY**, is understood, according to the proper signification of the word, the absence of external impediments; ... A **LAW OF NATURE**, (*lex naturalis,* ) is a precept, or general rule, found out by reason, by which a man is forbidden to do that which is destructive of his life, or taketh away the means of preserving the same. (Chapter 14.)

Any reasonable being living under the state of nature can only try to get out of it, and there is only one way of escape: each man has to give up part of his freedom to a central, absolute coercive, sovereign power. Only when this social contract has been entered into, can men live in peace. The power of the Sovereign has to be absolute. ‘The validity of covenants begins not but with the constitution of a civil power, sufficient to compel men to keep them; and then it is also that propriety begins.’ So there can be no ‘propriety’ (property) without state power, for then ‘there is no visible power to keep them in awe, and tie them by fear of punishment to the performance of their Covenants and observation of those law of nature.’

Hobbes does not think that either the state of nature or the social contract were actual historical events. They are rather logical postulates which must be assumed in a society of atoms. From these axioms his plan for a peaceful and stable monarchy can be logically derived. The consequence is ethics - of a special kind. Each man is obliged to give up some of his rights to a sovereign, and obliged to obey him. Accepting this obedience,
fulfilling this obligation, each individual will strive for his own good. The result will be the common good - of a special kind. The ‘covenant’ is between the individuals, who give up their rights to the sovereign. There is no contract with the sovereign, whose power is absolute.

The sovereign may grant some liberties to his subjects, making rules to govern its exercise. Among these are the rules of property,

> Whereby every man may know, what goods he may enjoy, and what actions he may do, without being molested by any of his fellow-subjects; and this is it men call propriety. For before constitution of sovereign power…all men had the right to all things; which necessarily causeth war; and therefore this propriety, being necessary to peace, and depending on sovereign power, is the act of that power, in order to the public peace. (Chapter 18.)

In his summing up of the whole book, Hobbes gives his picture of how a society of such atoms must function: ‘I think a toleration of a professed hatred of tyranny is a toleration of hatred to commonwealth in general.’

Society is tyranny.
Spinoza (1632-1677) appears to be continuing the work of Machiavelli and Hobbes, and, in a way, so he is. Like them, he seeks to understand the problems of a collection of independent individuals trying to organise its political life. But actually he transforms these problems completely. Instead of questions of power, rights and responsibilities, Spinoza investigates the notion of the self-governing community, and for this he develops an entirely new view of humanity. He is the only figure in the tradition of political philosophy to defend the idea of democracy. But in the end, even his democracy is limited by the historical conditions of his turbulent time and by the barrier of property.

Baruch de Espinosa was born into a leading family - though commercially a not very successful one - among those wealthy Jews who came from Portugal to Amsterdam to escape from Catholic persecution. The Amsterdam Portuguese Sephardic Synagogue was dominated by some of the most influential merchants of the Netherlands, and its leaders were supporters of the Orange cause. The young Espinosa was educated in its Rabbinical School. On the death of his father and elder brother, he became the head of the family business. But in 1656 he broke with the world of commerce forever and was ritually excommunicated, cursed and expelled from the Synagogue.

A bit of the history of the Netherlands is needed here. In the previous century, after decades of struggle, under the leadership of William of Orange (the Silent), the Netherlanders had liberated themselves from Catholic Habsburg Spanish rule. In the new Dutch Republic, a federation of seven provinces, the majority of the people were fervent Calvinists who wanted to install the House of Orange as a monarchy. At the same time, a powerful and enlightened oligarchy of ‘Regents’, representing the prosperity of the new Republic, was politically influential, especially in the leading Province, Holland.

In 1650, William II was poised to set himself up as king, but died just before this move was completed. Holland then experienced its ‘golden age’, under the 22-years rule of the ‘Regent’ Jan de Witt. Based upon its leading role in international trade, Holland enjoyed a religious and intellectual toleration unknown elsewhere in Europe. That is why the Frenchman DesCartes (1696-1749) chose to live in the Netherlands for much of his life, and religious radicals came there from England after the retreat of the Revolution. Philosophy, music, the arts and the sciences flourished.

In Amsterdam, the young Baruch was able to discuss the most advanced ideas in religion, natural science and philosophy. An important influence on him was Franciscus Van den Enden (1602-74), who taught him Latin, the language in which Spinoza’s works were to be written, and in whose house he lived for a time. Van den Enden was a democrat and an opponent of private property. He later went to France and took part in a conspiracy to overthrow Louis XIV. When it was betrayed, Van den Enden was hanged.

In 1660, Baruch, henceforth called Benedict de Spinoza, went to live in Rijnsburg, near Leiden. This was the centre of the Collegiant sect, the most extreme of a multitude of
anti-Trinitarian groups. Derived from the Anabaptists, the Collegiants were also anti-political and millenarian, like some of the English groups with whom they were in close contact. Although Spinoza did not join them, nor any other sect, they always remained his friends and defenders. While in Rijnsburg, he learned to be a grinder of lenses, and supported himself for the rest of his life by manufacturing microscopes and telescopes.

This is how he summed up that life in one of his many letters: ‘So far as in me lies, I value, above all other things out of my control, the joining of hands of friendship with men who are lovers of truth.’ Throughout his short life, he never compromised his complete independence of philosophical, political and religious thought. He demonstrated this when, in 1673, not long before he died, he politely and firmly declined a plum job as professor at Heidelberg when it was offered to him.

In Rijnsburg he completed and published his Principles of Cartesianism (1660), and worked on, but never completed, the Shorter Treatise on God, Man and his Well-being, and the Treatise on the Correction of the Understanding. At the beginning of this latter work, Spinoza explains how he came to study philosophy. He found, he says, that riches, fame and honour distracted him from his main inquiry, which concerned ‘whether I might discover and acquire the faculty of enjoying throughout eternity continual supreme happiness’.

This then is the end to attain which I am striving, namely, to acquire such a nature and to endeavour that many also should acquire it with me … and moreover to form such a society as is essential for the purpose of enabling most people to acquire this nature with the greatest ease and security.

Spinoza’s aims were always entirely individual and, simultaneously, entirely social in character.

In 1663, he moved to Voorburg, near the Hague, where he wrote the Tractatus Theologico-Politicus (TT-P). It was published anonymously in Latin in 1670, but its authorship was soon obvious to the Calvinist authorities. A Dutch translation was made of this work but Spinoza stopped it being printed. Even the Latin original was banned and assailed by a storm of criticism. For example, a Calvinist pamphlet describes the book as the work of ‘the renegade Jew in collaboration with the devil and the connivance of Mr. Jan and his accomplice.’

The following year, Spinoza moved to the Hague itself, just before the political situation was violently transformed. In 1672 De Witt was first forced to resign, and then, together with his brother Cornelius, murdered by a Calvinist-Orangist mob which also hacked their bodies to pieces.

All this time, Spinoza had been working on his chief work, the Ethics (E). He completed it in 1675, but it was not published until after his death. For the next two years, he worked
on his last work, the *Tractatus Politicus*. Spinoza died of what today would be called silicosis, the result of his glass-grinding, before it was completed.

Spinoza’s work, political, theological, ethical, psychological and metaphysical, forms a totally unified whole. At its foundation is a conception of the world, humanity and God, which challenges all the basic conceptions of both Judaism and Christianity. He sets out from Aristotle’s concept of Substance, ‘the cause of itself’, but identifies it with both God and Nature. Instead of being Lord of the World, freely willing the course of His Creation, God’s power is identified with the laws of Nature.

‘God or Nature’ is the one and only substance, but humanity is necessarily made up of a multitude of individual subjects. Humans are parts of Nature, and Spinoza is scornful of any other view.

They seem to have conceived man in nature as a kingdom within a kingdom. For they believe that man disturbs rather than follows the course of nature, and that he has absolute power in his actions, and is not determined in them by anything other than himself. (*E*, Part 3 Preface.)

Each of these humans is at the same time body and soul, which are not two opposites, but two aspects of one entity. Each individual subject has both reason and emotion. If an emotion is governed by reason, it is active and free, something which we do. Otherwise it is a passion, to which the individual is enslaved, something done to us. ‘Human lack of power in moderating and checking the emotions I call servitude.’ (*E*, Part 4.) Thus power is freedom and lack of power is slavery. It is the nature of reason to perceive things under a certain species of eternity [*sub quadam aeternitatis species*]. (*E*, Part 2, Proposition XLIV, Corollary 2.) However, only ‘God or Nature’ knows the whole story.

Spinoza has much on common with the Stoics, but unlike them he is not concerned only with ‘wise men’ but with humans as they are. In Part 2 of the *Ethics*, in the Corollary to Proposition XLIX, Spinoza proves that ‘will and intellect are one and the same thing’. Any truth about the world is either self-evident to all men of reason, or reason can derive it with the certainty of geometry. He never imagines that all humans are totally governed by reason: if that were the case, there would be no need for government at all. (As the crisis of 1672 confirmed only too sharply, some people are undoubtedly more reasonable than others.)

Now if men were so constituted by nature to desire nothing but what is prescribed by true reason, society would stand in no need of any laws. Nothing would be required except to teach men true moral doctrine, and they would then act to their true advantage of their own accord, whole-heartedly and freely. (*TT-P*, Chapter 5.)
Reason pertains to the intellect of ‘God or Nature’. Reasonable action unites humans, while passion divides them. Spinoza stresses many times ‘the difference between a man who is led by emotion and one who is led by reason’.

The former whether he wills it or not performs things of which he is entirely ignorant; the latter is subordinate to no-one, and only does those things which he knows to be of primary importance in his life, and which on that account he desires the most. (E. Part 4, Proposition LXVI, Note.)

He ridicules those who hold any other idea of freedom. ‘This, therefore, is their idea of liberty, that they should know no cause of their actions.’ (E, Part 2, Proposition XXXV, Note.)

Like Hobbes, Spinoza explains all human action in terms of self-preservation, but the conclusions he draws about the nature of social life could not be more different, because Spinoza’s understanding of ‘self’ is always social. In Part 4, Proposition XVIII, Note, he writes:

Nothing, I say, can be desired by men more excellent for their self-preservation than that all with all should so agree that they compose the minds of all into one mind, and the bodies of all into one body, and all endeavour at the same time as much as possible to preserve their being, and all seek at the same time what is useful to them as a body. From which it follows that men who are governed by reason, that is, men who under the guidance of reason seek what is useful to them, desire nothing for themselves which they do not also desire for the rest of mankind, and therefore they are just, faithful and honourable.

Having disposed of the idea of free will, problems of good and evil are easily dealt with.

By good I understand here all kind of pleasure and whatever may conduce to it, and more especially that which satisfies our fervent desires, whatever they may be; by bad all kind of pain, and especially that which frustrates our desires. (E, Part 4, Proposition XXXIX, Note 1.)

So in Spinoza’s ethics there is no room for ‘ought’. Humans, like God, operate under the laws of nature, laws which humans can increasingly grasp as knowledge grows. His theology, psychology and politics all flow from this understanding, as clearly as Euclid’s geometry. This is how he describes a human community founded on reason:

Without any infringement of natural right, a community can be formed and a contract be always preserved in its entirety in absolute good faith on these terms, that everyone transfers all the power that he possesses to the community, which will therefore alone retain the sovereign natural right over everything, that is, the supreme rule which everyone will have to obey either of free choice or through fear of the ultimate penalty. Such a community’s right is called a democracy,
which can therefore be defined as a united body of men which corporately possesses sovereign right over everything within its power. (TT-P, Chapter 16.)

Democracy, he believes, is ‘the most natural form of state, approaching most closely to that freedom which nature grants to every man.’ (TT-P, Chapter 16.)

Spinoza is totally hostile to all forms of superstition and to any infringement of freedom of thought.

The supreme mystery of despotism, its prop and stay, is to keep men in a state of deception, and with the specious title of religion to cloak the fear by which they may be kept in check, so that they fight for servitude as if for salvation. (TT-P, Preface.)

In fact the main point of the Tractatus Theologico-Politicus is to free philosophy from clerical control: ‘Our object has been to separate philosophy from theology and to show that the latter allows freedom to philosophise for every individual’ (TT-P, Chapter 16), and Spinoza never misses a chance to hit back at his Calvinist persecutors. ‘Nothing … save gloomy and mirthless superstition prohibits laughter’. (E, Part 4, Proposition XLV, Note 2.) And later (Proposition LXIII, Note 1) he lashes out again.

The superstitious, who know better how to reprovate vice than to teach virtue, and who do not endeavour to lead men by reason, but to so inspire them with fear that they avoid evil rather than love virtue, have no other intention than to make the rest as miserable as themselves; and therefore it is not wonderful that for the most part they are a nuisance and hateful to men.

So Spinoza’s advocacy of democracy is essentially a matter of finding the best way of promoting the power of reason.

Thus when I say that the best state is one in which men live in harmony, I am speaking of a truly human existence [vitam humanum intelligo], which is characterised, not by the mere circulation of blood and other vital processes common to all animals, but primarily by reason, the true virtue and life of the mind. (TP, Chapter V, para 5.)

Democracy is the best such form of state.

All men have one and the same nature: it is power and culture which mislead us. … If men are puffed up by appointment for a year, what can we expect of nobles, who hold office without end? (TP, Chapter VII, para 27.)

But Spinoza does not question property as an institution. He only wants to keep it within the bounds of reason.
Now this vice is only theirs who seek to acquire money, not from need or reasons of necessity, but because they have learned the arts of gain wherewith to raise themselves to a splendid estate. … But those who know the true use of money and moderate their desire of money to their requirements alone are content with very little. (E, Part 4, Appendix, XXIX.)

The section of the Tractatus Politicus which Spinoza leaves unfinished is Chapter XI, on democracy, the ‘completely absolute state’. The only passage he left was an explanation of why women cannot be citizens of such a state, ‘proving’ that they must be subject to men ‘due to their weakness’. Nor can he allow citizenship to aliens or servants, who will not be independent. His ‘argument’ for all this is not much better than an appeal to history. So even Spinoza’s calm and profound reflection cannot go far beyond the bounds of traditional forms of oppression.

However, Spinoza’s conception of the role philosophy itself is quite unique. The philosophical investigation of political life could never be for him merely a commentary on an external object. Since true humanity means collective freedom, and freedom means the power of reason over passion, the work of philosophy in clearing the intellectual path for reason is central to the life both of humanity and of the philosopher himself.
(e) Locke

John Locke (1632-1704)) was 56 when the Stuart James II was deposed and the throne given to William III and his wife Mary. (William, of course, was the Dutchman William of Orange and Mary was the daughter of Charles I.) Locke was the philosopher of the Whig victory in this ‘Glorious Revolution’. His philosophy is, above all, the theory of this compromise between the aristocratic landed interest and the rising power of the City of London. The conception of the independent individual, existing in splendid isolation, a conception now fully developed and widely accepted, formed the foundation of both his metaphysics and his political philosophy. In the *Essay Concerning Human Understanding*, published in 1690, he explains all knowledge as the outcome of the processing by the mind of data received through the senses: there were no ‘innate ideas’, and the whole operation was entirely a private matter. In the *Two Treatises on Government*, published anonymously in the same year, he explains the character of society as a collection of private property-owners.

Locke had been a schoolboy when Charles I was executed, and his father fought in the Royalist armies. When he was young, he was conservative in outlook, but grew more radical as he got older. In the 1660s he was employed by Lord Shaftesbury, the founder of the Whigs. He also worked at Christ Church, Oxford, until he was sacked, under pressure from King James, in 1684. He went to live in Holland, and returned with William and Mary in 1689.

Locke takes it for granted that some people must have power over others. But he denies that this is a divine right, inherited from Adam, and investigates the question which most exercised the ruling classes of Britain at the time: who was destined to hold this power? As he explains in the *First Treatise* (Chapter 11):

> The great question which in all ages has disturbed mankind, and brought on them the greatest part of those mischiefs which have ruined cities, depopulated countries and disordered the peace of the world, has been, not whether there be power in the world, nor whence it came, but who shall have it.

In Chapter 1 of the *Second Treatise*, he defines political power. It is

> the right of making laws with penalties of death, and consequently all less penalties, for the regulating and preserving of property, and of employing the force of the community, in the execution of such laws, and in the defence of the commonwealth from foreign injury, and all this only for the public good.

Clearly, this is a power quite different from that of Hobbes’ absolute sovereign. To expound his conception, Locke also starts with a state of nature, but it is a very different set-up from that war-torn battlefield surveyed by Hobbes. Locke’s state of nature is a peaceful, fairly comfortable place:
a state of perfect freedom to order their actions and dispose of their possessions, and persons, as they think fit, within the bounds of the law of nature, without asking leave, or depending upon the will, of any other man.

Men live outside society as equals, but they own private property - or at least, some of them do. ‘God ... hath given the world to men in common’, and ‘hath also given them reason to make use of it to the best advantage of life, and convenience’. Property arises because things are produced by labour, and ‘every man has a property in his own person’. Property in land, and the invention of money, follow logically. Despite the resulting inequality, men in the state of nature are still free and independent. All of this before there is a system of government.

Why should men leave this idyllic state of affairs? Only, thinks Locke, because a government is necessary to protect private property. Men need a system of justice to settle disputes over property, a legislative to enact the laws, and an executive to keep the whole business going. These three functions of government - legislative, executive and judicial - are distinct, but depend on each other. There is also a Federative function, concerned with foreign defence and conquest. But the government had no right to encroach on the private affairs of any citizen, including his religious opinion. Absolute monarchy was thus definitely ruled out. ‘Absolute monarchy, which by some men is counted the only government in the world, is indeed inconsistent with civil society, and so can be no form of civil government at all.’

The particular form of government might be, as for Aristotle, monarchic, oligarchic or democratic, or some mixture of these. But in any case, it was to be chosen by the majority of free citizens, that is, men of property. Unlike Hobbes, Locke believes that there is a contract between government and the people. Political power means, as with Hobbes, that there is an agreement by individuals to give up power to a central authority, but it is no longer to an all-powerful sovereign. Instead, Locke explains, ‘whosoever therefore out of a state of nature unite into a community, must be understood to give up all the power, necessary for the ends for which they unite into society, to the majority of the community.’

However, slavery is justified. In fact, Locke manages to make the slave responsible for his or her own enslavement. It is quite simple: you can always choose to die instead.

Whenever he finds the hardship of his slavery outweigh the value of his life, ‘tis in his power, by resisting the will of his master, to draw on himself the death he desires. ... These men, having, as I say, forfeited their lives, and with it their liberties, and lost their estates, and being in the state of slavery, not capable of property, cannot in that state be considered as any part of civil society; the chief end thereof is the preservation of property.

Thus, the founder of liberalism had no trouble reconciling his conception of liberty with his ownership of shares in Jamaican slave plantations. He was also happy to serve for a
time as the Secretary to the Council of Trade and Plantations, and in 1669, he had written a Constitution for Carolina, whose ‘democratic’ character involved giving more votes to those who owned more slaves. (And, of course, no votes to those who had no slaves.)

Locke has no problem about the conflict between property-owners and those without property. If some people are poor, it is their own fault, anyway, and they are not to be thought of as fully human. Chapter 3 of the Second Treatise, entitled ‘Of the State of War’, makes it quite plain.

For by the fundamental law of nature, man being to be preserved, as much as possible, when all cannot be preserved, the safety of the innocent is to be preferred: and one may destroy a man who makes war on him, or has discovered an enmity to his being, for the same reason that he may kill a wolf or a lion; because such men are not under the ties of the common law of reason.

So we should not be surprised to hear that Locke was an enthusiastic advocate of workhouses for the poor, starting, he advised, from the age of three.

The last chapter of the Second Treatise, called ‘Of the Dissolution of Government’, tells us what it has all been about. If governments are the outcome of popular decision, so must be the replacement of one form of government by another. He sets out the possible situations in which a government may be dissolved. The fifth and last of these is

when he who has the supreme executive power, neglects and abandons that charge, so that the laws already made can no longer be put in execution. This is demonstratively to reduce all to anarchy, and so effectually to dissolve the government.

Of course, this was precisely the Whig argument for getting rid of James II and for establishing the joint monarchy of William and Mary. The political problem was to explain why this was right, without at the same time seeming to justify the execution of Charles I forty years earlier. Locke was showing them how this could be done. If the government broke its side of the contract with the people, the people had the right and duty to get a new government.

In the century following the appearance of Locke’s book, his conception of the independent property-owner tacitly formed the basis of that science which, more than any other, characterised the social order which came to dominate the planet: political economy. In the American and French revolutions, its political meaning was revealed. Some individual citizens might be allowed to express dissenting opinion now and then, religious differences might be tolerated, but interference with the rights of private property was out of the question. In the American Declaration of Independence, and then in the French Rights of Man, the individualism inherent in private property is made explicit. The ‘freedom’ the revolutions produced was the freedom of private property. Thus they led to bourgeois society and to the bourgeois state. Against only a small
amount of opposition, the American Constitution was tailored to justify the continuation of slavery and the theft of the land of the native Americans. In Britain, France and the United States, parliamentary forms of government developed as the way that the bourgeoisie would exercise power in a state which, increasingly obviously, belonged to them.

In the eighteenth century, the philosophers of the Enlightenment founded their complete world outlook on the conception that society was a collection of free and independent individuals. When Locke’s American disciples fought the English King, they were firm in the knowledge that ‘all men are created equal, and endowed with certain inalienable rights’. Reason, the universal property of each individual human being, could investigate the working of both nature and society, but for this it had to be freed from the authority of tradition, especially that of Plato and Aristotle. If superstition could be eradicated from the minds of men, the flourishing of science and industry would bring about the mastery of nature, for systematic knowledge would inevitably be coupled with benevolence towards all humankind. Political economy was victorious, that is, political and economic life were totally distinct.
Montesquieu

Charles Louis de Secondat, Baron de Montesquieu (1689-1755) was one of the grandest noblemen of Bordeaux, and a great landowner, but he was also keenly engaged in making money in the domestic and international wine trade. His ideals were close to those of the bourgeois settlement of Locke’s ‘Glorious Revolution’, and regard for English political forms permeates his life’s work, *The Spirit of the Laws*. This book is famously obscure in its overall argument, which sometimes seems to be overloaded with a thousand historical examples, but this appearance is deceptive. Much of the obscurity is deliberate, aiming to protect some strikingly modern notions from reprisal by the Church and the Bourbon Court.

While he is not afraid to disagree with Aristotle, Montesquieu treats him with rather more respect than Hobbes had done. Like Hobbes, he also starts with a ‘state of nature’. However, ‘Hobbes gives men first the idea to subjugate one another, but this is not reasonable’. (*The Spirit of the Laws*, Book 1, Chapter 2.) Thus the first of four ‘natural laws’ that govern man ‘before the establishment of societies’, is the desire for peace. Second and third come biological laws, hunger and the need for sex. Men naturally have the faculty of gaining knowledge, but each feels his own weakness and his own needs. And so ‘the desire to live in society is a fourth natural law’.

Laws of nature form the framework for all of Montesquieu’s account of society and its political forms. This is how Book 1 of the entire work begins:

> Laws, taken in the broadest meaning, are the necessary relations deriving from the nature of things; and in this sense, all beings have their laws, the divinity has its laws, the material world has its laws, the intelligences superior to man have their laws, the beasts have their laws, man has his laws… .

Man, as a physical being, is governed by invariable laws like other bodies, but there is a difference between humans and everything else in the world: ‘As an intelligent being, he constantly violates the laws god has established and changes those he himself establishes; he must guide himself, and yet he is a limited being.’

Montesquieu does not believe that there is some universally ‘best’ form of government, appropriate for all nations. Each nation has its own specific conditions, for which it must find the optimum form. ‘The government most in conformity with nature is the one whose particular arrangement best relates to the disposition of the people for whom it is established.’

Law in general is human reason insofar as it governs all the peoples of the earth; and the political and civil laws of each nation should be only the particular cases to which human reason is applied.
Different climates and other geographical features, and especially different histories, lead to different ways of organising social life. By examining these particular relations, Montesquieu aims to discover what he calls ‘the Spirit of the Laws’, a unifying principle standing above individuals. ‘Many things govern men: climate, religion, laws, the maxims of the government, examples of past things, mores and manners; a general spirit is formed as a result.’ (Book 19, Chapter 4.)

While carefully denying that he is condemning any form of state, Montesquieu divides political states into ‘despotic’ and ‘moderate’. The principle of despotic government is fear of the despot. Moderate government he classifies as monarchy or republic, and republics, in turn, are either democratic or aristocratic.

Republican government is that in which the people as a body, or only a part of the people, have sovereign power; monarchical government is is that in which one alone governs, but by fixed and established laws; whereas, in despotic government, one alone, without law and without rule, draws everything along, by his will, and his caprice. (Book 2, Chapter 1.)

But Montesquieu’s democracy is not government by all the people, either, for the poor are excluded.

In choosing a representative, all citizens in the various districts should have the right to vote, except those whose estate is so humble that they are deemed to have no will of their own. (Book 11, Chapter 6, ‘On the constitution of England’.)

In any case, democracy is only suitable to small states. (Book 11, Chapter 6.) The principle of a republic, especially of democracy, is political virtue, while the principle of monarchy is ‘honour’. Monarchy does not know political virtue, and despotism does not even have a word for honour.

One of Montesquieu’s chief advances on Aristotle is his concept of Liberty, for which he offers a precise definition.

It is true that in democracies the people seem to do what they want, but political liberty in no way consists in doing what one wants. In a state, that is, in a society where there are laws, liberty can consist only in having the power to do what one should want to do and in no way being constrained to do what one does not want to do. One must put oneself in mind of what independence is and what liberty is. Liberty is the right to do everything the laws permit; and if one citizen could do what they forbid, he would no longer have liberty, because the others would likewise have this same power. (Book 11, Chapter 3.)

Political liberty in a citizen is that tranquillity of spirit which comes from the opinion each one has of his security, and in order for him to have this liberty the
government must be such that one citizen cannot fear another citizen. (Book 11, Chapter 6.)

Of course, this sets him against Aristotle on the question of slavery, which ‘is not good by its nature’. (Book 15, Chapter 1.) And yet he seems to go on to give examples of situations where slavery might be appropriate, even in ‘moderate governments’. Some of the remainder of this book might well be intended ironically. And this is the only kind of ownership he even questions. Land ownership and money are discussed but their existence taken for granted.

Each of the forms of government, however, is subject to corruption of its principle. In the case of despotism, little needs to be said, because ‘it is corrupt by its own nature’. (Book 8, Chapter 10.) ‘A monarchy is ruined when the prince, referring everything to himself exclusively, reduces the state to its capital, the capital to the court, and the court to his person alone.’ (Book 8, Chapter 6.) The principle of democracy too, however, can be corrupted, ‘not only when the spirit of equality is lost but also when the spirit of extreme equality is taken up and each one wants to be the equal of those chosen to command.’ (Book 8, Chapter 2.)

It is in the course of his discussion of the constitution of England that Montesquieu sets out his theory of the three powers within the state.

In each state there are three sorts of powers: legislative power, executive power over the things depending on the right of nations, and executive power over the things depending on civil right. By the first, the prince or magistrate makes laws for a time or for always, and corrects or abrogates those that have been made. But the second, he makes peace or war, sends and receives embassies, establishes security and prevents invasions. By the third, he punishes crimes or judges disputes between individuals. The last will be called the power of judging and the former simply the executive power of the state. (Book 11, Chapter 6.)

The conflicts between these separate powers are the way Montesquieu thinks corruption can be avoided.

In his autobiography, Montesquieu gives summaries of the Enlightenment and it’s conception of humanity which are worth quoting: ‘I wake up in the morning with a secret joy in the light of day. I behold that light with a kind of rapture’. And

If I knew of something which would be of benefit to me personally, but which would harm my family, then I would dismiss it from my mind. If I knew of something that would benefit my family, but not my country, then I would try to forget it. If I knew of some thing that would benefit my country but harm Europe, or benefit Europe but be harmful to mankind, then I would consider it a crime. [2]
Now we are in the eighteenth century: the market has come to dominate social forms, even though political relations have some way to go before they catch up. These forms imply the imposition of wage-labour on masses of people and the break-up of all the older ways of making a living and all older relations. During the seventeenth and eighteenth centuries, there were massive struggles against these changes, as against the enslavement of Africans forced to work for capital in the Americas, but political philosophy never reflects these directly. Even their history has only begun to emerge fairly recently. [3]

Although Jean-Jacques Rousseau (1712-1788) was a major contributor to the Encyclopédie and friend of its editor, Diderot, he was remarkable for being directly opposed to many of the basic notions of the Enlightenment. For Rousseau, reason was not the natural characteristic of humans, as it was for most of his fellow enlighteners. The ‘arts and sciences’, far from leading to an improvement in moral life, he thought would promote the corruption, inequality and injustice which he believed characterised modern society. His thought contains many paradoxes - he often points to them himself - but these are his most important contribution, since they express openly some of the most deep-seated contradictions of society.

At the heart of all Rousseau’s inconsistencies is the certainty that nature and society are not merely unconnected: they are actually incompatible. Civilisation itself had been a huge step back from man’s ‘natural state’. In his state of nature, Rousseau sees an animal, less strong than some, less agile than others, but taken as a whole, the most advantageously organised of all. I see him satisfying his hunger under an oak, quenching his thirst at the first stream, finding his bed under the same tree which provided his meal, and, behold, his needs are furnished. (Discourse on Inequality, Part I.)

But there is no going back to this idyllic condition of freedom, independence and equality.

While hating inequality of all kinds, Rousseau thinks that property is both natural to human beings, and the source of all their misery and corruption.

It is certain that the right of property is the most sacred of all citizens’ rights, and in some respects more important than freedom itself, whether it is more closely connected with the preservation of life; or because, a man’s property being easier to appropriate and harder to defend than his person, the thing that is more readily taken should be the more respected; or finally because property is the true foundation of civil society and the true pledge of the citizens’ fidelity in fulfilling their obligations. (Political Economy.)
The first man who, having enclosed a piece of land, thought of saying ‘This is mine’ and found people simple enough to believe him, was the true founder of civil society. How many crimes, wars, murders; how much misery and horror the human race would have been spared if someone had pulled up the stakes and filled in the ditch and cried out to his fellow men: ‘Beware of listening to this impostor! You are lost if you forget that the fruits of the earth belong to everyone and that the earth belongs to no-one!’ (Discourse on Inequality, Part II.)

Passing through a stage of ‘nascent society’, humans had no choice but to develop social forms which led inevitably to all the ills of civilisation. However, despite the inevitability of these features of human enslavement, in no way is Rousseau ever reconciled with them. Unlike Locke and his American followers, Rousseau knows that slavery is totally inhuman: humanity, the entire human population of the world, is by nature free.

To renounce our freedom is to renounce our character as men, the rights, and even the duties, of humanity. ... It is incompatible with the nature of man; to remove the will’s freedom is to remove all morality from our actions. (Social Contract, Book I, chapter iv.)

Rousseau describes the necessity for a social contract like this:

> Find a form of association which will defend and protect, with the whole of its joint strength, the person and property of each associate, and under which each of them, uniting himself to all, will obey himself alone, and remain as free as before.’ This is the fundamental problem to which the social contract gives the answer. (Ibid, chapter vi.)

In a way, Rousseau’s work as a whole may be regarded as the proof that this problem has no answer. His knowledge of this is precisely how he shows his immense superiority over Hobbes and Locke.

He sees the question as centring on the formation of a ‘general will’, which is not the will of all the ‘associates’. They must make a contract, in which they agree to

the complete transfer of each associate, with all his rights, to the whole community. ... Each, in giving himself to all gives himself to none, and since there are no associates over whom he does not acquire the same rights as he cedes, he gains the equivalent of all that he loses, and greater strength for the conservation of what he possesses. ... Each of us puts his person and all his power in common under the supreme direction of the general will; and we as a body receive each member as an indivisible part of the whole. (Ibid.)

How can this work? There can be no sovereign, except the people as a whole. Rousseau tries as carefully as he can to distinguish this whole from its separate parts, the individual citizens.
The public person that is formed in this way by the union of all the others once bore the name city, and now bears that of republic, or body politic; its members call it the state when it is passive, the sovereign when it is active, and a power when comparing it to its like. As regards the associates, they collectively take the name of the people, and are individually called citizens as being participants in sovereign authority, and subjects as being bound by its laws. (Ibid.)

Rousseau is often regarded as a major democratic thinker. However, while insisting that all sovereignty springs from the people as a whole, he also declares that a people that always governed well, would not need to be governed. True democracy has never existed and never will. ... If there were a nation of gods it would be governed democratically. So perfect a government is not suitable for men. (Social Contract, chapter iv.)

His ideal republic is modelled, not on Athens, but on Sparta and Rome. ‘Athens was not really a democracy, but an extremely tyrannical aristocracy, controlled by philosophers and orators.’ (Article in the Encyclopédie on Political Economy.) (Here he expresses his debt to Machiavelli, whom he regarded as a great democrat.) The social contract was binding on those, and only those, who had accepted it, and from this, Rousseau thought, followed his attitude to majority voting. This is remarkable for its emphasis on the contradictions in the very system he is advocating for the way that the people must exercise its sovereignty.

For civil association is the most completely voluntary of acts; each man having been born free and master of himself, no one, under any pretext at all, may enslave him without his consent. ... But the question is how a man can be free and forced to conform to the will of others than himself. How can those who are in opposition be free and subject to the laws to which they have not consented? My reply is that the question is wrongly put. The citizen consents to every law, even those which punish him when he dares to violate one of them. The constant will of all the citizens of the state is the general will; it is through the general will that they are citizens and have freedom. (Social Contract, Book IV, chapter ii.)

Related to this is the distinction Rousseau makes between legislative power, which belongs solely to the people, and government, the executive power. The latter is an intermediate, between the people as sovereign and the citizens, as subjects. There is no contract by which subjects agree to obey a government, Rousseau insists. ‘The government receives commands from the sovereign, and gives them to the people.’ (Book III, chapter 1.) This is related to his famous formula about freedom: ‘If anyone refuses to obey the general will, he will be compelled to do so by the whole body; which means nothing else than that he will be forced to be free.’ (Book I, chapter vii.)
Here we see what has been called Rousseau’s totalitarian democracy. It explains his love of Sparta and Rome. He therefore can say that there is a gap between the individual as human and as citizen. Discussing education for citizenship, he says, you are forced to combat either nature or society, you must make your choice between the man and the citizen.

You cannot train for both. ... The natural man lives for himself; he is the unit, the whole, dependent only on himself and his like. The citizen is but the numerator of a fraction, whose value depends on its denominator; his value depends on the whole, that is, on the community. Good social institutions are those best fitted to make a man unnatural, to exchange his independence for dependence, to merge the unit in the group, so that he no longer regards himself as one, but as a part of the whole, and is only conscious of the common life. (Emile, Book I.)

Later in the same book, Rousseau appears to make explicit the impossibility of such a common life. Repeating that the state of nature contains ‘an actual and indestructible equality’, Rousseau contrasts this with civil society.

In the civil state, there is a vain and chimerical equality of right; the means intended for its maintenance, themselves serve to destroy it; and the power of the community, added to the power of the strongest for the oppression of the weak, disturbs the sort of equilibrium which nature has established between the two. (Emile, Book IV.)

In a footnote to this passage he hammers the point home, with an allusion to Montesquieu:

The universal spirit of the laws of every country is always to take the part of the strong against the weak, and of him who has against him who has not; this defect is inevitable and there is no exception to it.

No wonder that this book was burned by the censor when it was first published in 1762, while its author had to creep out of Paris in the middle of the night!
For Immanuel Kant (1724-1804), Rousseau was ‘the Newton of the moral world’. (Rousseau’s portrait was the only one to adorn Kant’s house.) Like his French hero, Kant was both part of the Enlightenment and not part of it. In his critical writings, beginning with the Critique of Pure Reason, he seeks a way out of the contradictions encountered by enlightened Reason, limiting its field of action in relation to knowledge of nature. But on moral issues, he opposes all such limitation. At the head of his essay: ‘What is Enlightenment?’ he gives the famous quotation from Horace: ‘Sapere aude!’, ‘Dare to be wise!’, to which he gives the explanation: ‘Dare to use your own understanding!’

Like Hobbes, Kant had a conception of a warlike ‘state of nature’, but had a very different conception of its relation to civil society. Only in a ‘civil state’ with a legal structure could peace be found, he believed. The social contract, which Kant thought was the basis for such a state,

\[
\text{can oblige every legislator to frame his laws in such a way that they could have been produced by the united will of a whole nation, and to regard each subject, in so far as he can claim citizenship, as if he had consented to within the general will. This is the test of the rightfulness of every public law. (Theory and Practice.)}
\]

Kant enunciates a ‘universal principle of right’, which makes this political state and its legal structure the basis for all morality: ‘Every action which by itself or by its maxim enables the freedom of each individual’s will to co-exist with the freedom of everyone else in accordance with a universal law is right.’ (Metaphysic of Morals, Introduction.)

Here, Kant’s understanding of freedom, of the individual subject and of law are all involved. Freedom for him means that each individual acts as his will decrees, without restriction and independently of everyone else’s will. But each individual’s freedom must – that means, ‘must reasonably’ - be limited so that it does not interfere with that of fellow citizens. That is why morality is impossible without laws which apply universally, and provide rules to sort out the inevitable clashes between individual wills. At the same time, he sees the difficulties of ever achieving such a condition.

The greatest problem for the human species, the solution of which nature compels him to seek, is that of attaining a civil society which can administer justice universally. ... This problem is both the most difficult and the last to be solved by the human race. (Idea for a Universal History.)

The trouble with humans is that ‘man is an animal who needs a master’, he believes. And yet a civil state must by definition be one where the people rule themselves.

The civil state, regarded purely as a lawful state, is based on the following \textit{a priori} principles: 1. The \textit{freedom} of every member of society as a \textit{human being}; 2. The
equality of each with the others as a subject; 3. The independence of each member of the commonwealth as a citizen. (Theory and Practice.)

There is an inevitable clash between the freedom of the wills of individuals, and yet, somehow, this conflict must be regulated. ‘A civil state...is characterised by equality in the effects and counter-effects of freely-willed actions which limit one another in accordance with the general law of freedom.’ There has to be a state, with powers of coercion and punishment. And yet, at the same time, ‘people too have inalienable rights against the head of state, even if these are not rights of coercion’. (Kant tells us that he aims this last remark against Hobbes.)

The contradictions of these requirements for the civil state are clearly expressed in Kant’s attitude to the French Revolution. Republicanism is central to his political theory, which precludes as irrational any form of autocracy. He supports the Jacobins from the start, and, unlike many of their supporters, he never changes this opinion, nor does he hide it. But he is certainly no revolutionary, nor is he a democrat: any democracy, he thinks, is necessarily despotic.

Kant’s approach re-unifies ethics and politics - but only in a way which also keeps them apart. Each citizen has his own property, his own rights and his own experiences. Towering over him is the modern state and the law, a logical necessity. Morality is reduced to the free activity of the independent individual will, but what is moral is inseparable from the universal good of society as a whole, embodied in laws and the constitutions under which they are enacted and enforced. Kant keeps the individuals and the universals in quite separate compartments. A passage from the Critique of Pure Reason, at the beginning of the ‘Transcendental Dialectic’, connects Kant’s thinking with Plato and his Republic.

The Platonic Republic has been supposed to be a striking example of purely imaginary perfection. ... We should do better, however, to follow up this thought and endeavour (where that excellent philosopher leaves us without his guidance) to place it in a clearer light by our own efforts, rather than to throw it aside as useless, under the useless and very dangerous pretext of its impracticability. A constitution founded on the greatest possible human freedom, according to laws which enable the freedom of each individual to exist by the side of freedom of others ... is ... a necessary idea.

Kant refuses to discard such a ‘necessary idea’ merely because experience has shown that it hasn’t worked. ‘It is altogether reprehensible to derive or limit the laws of what we ought to do according to our experience of what has been done’. So is there no hope of achieving such a constitution? In his later writings, Kant struggled to answer this objection. ‘Nature’ - Kant’s pseudonym for Divine Providence - has some tricks up her sleeve, which might possibly move human history in the right direction, precisely by means of those unattractive features of humanity which appear to stand in the way of such an outcome.
The means which nature employs to bring about the development of innate capacities is that of antagonism with society, in so far as this antagonism becomes in the long run the cause of a law-governed social order. By antagonism I mean in this context the unsocial sociability of man. ... Man wishes to live comfortably and pleasantly, but nature intends that he should abandon idleness and inactive self-sufficiency and plunge instead into labour and hardships, so that he may, by his own adroitness find means of liberating himself from them in turn. The natural impulses which make this possible, the sources of the very unsociableness and resistance which cause so many evils, at the same time encourage man towards exertions of his powers and thus towards further development of his natural capacities. (Idea for a Universal History. Fourth Proposition.)

(i) Adam Smith

The work of Adam Smith (1723-1790) - a near contemporary of Kant - bears on many of the themes we are discussing. Although, of course, he is mainly known as the father of economics, the chair he held at Glasgow University was that of Moral Philosophy. If we pay attention to The Theory of Moral Sentiments (1759) (TMS), we can see The Wealth of Nations (1776) as a detailed working out of the main ideas of the earlier work.

Smith often openly identifies himself with the Stoics. He has some disagreement with them - for instance, he doesn’t share their feelings about suicide. But like them, he sees morality as lying in the sphere of the independent individual, while social and political life are a framework within which this operates. Of course, he reinterprets their outlook in terms of the world of eighteenth century Britain.

Thus their fundamental notion that the wise man is able to command himself, appears in the shape of Smith’s ‘prudence’, embodying qualities like ‘steadiness of industry and frugality’. The prudent man ‘lives within his income, is naturally contented with his situation, which, by continual, though small accumulations, is growing better and better every day.’ His passions are ‘restrained by the sense of propriety’. To back up this modern, somewhat unheroic, version of the virtue of Late Stoicism, Smith introduces his main innovation, the ‘impartial spectator, the man within the breast’. This is the ‘higher tribunal’ of conscience, ‘the great judge and arbiter of their conduct’.

At the same time, Smith’s account of social life is founded upon his belief in social order, underwritten by a Supreme Being.

All the inhabitants of the universe, the meanest as well as the greatest, are under the immediate care and protection of that great, benevolent, and all-wise being, who directs all the movements of nature; and who is determined by his own unalterable perfections, to maintain in it, at all times, the greatest possible quantity of happiness. [TMS, Part VI, Section ii, Chapter 3.]
In the very first sentences of the **Theory of Moral Sentiment**, he introduces us to the two aspects of humankind which have been arranged by Providence, and whose balancing relationship he has to outline: selfishness and sympathy.

How selfish soever man may be supposed, there are evidently some principles in his nature, which interest him in the fortune of others, and render their happiness necessary to him, though he derives nothing from it except the pleasure of seeing it. Of this kind is pity or compassion, the emotion we feel for the misery of others, when we either see it or are made to conceive it in a very lively manner.

Some sentiments he calls ‘social passions’, and others ‘unsocial’. In the first group are ‘generosity, humanity, kindness, compassion, mutual friendship and esteem, all the social and benevolent affections.’ In the second kind he includes ‘hatred and resentment, with all their different modifications’. Between these two sets lies a third, called the ‘selfish passions’, which ‘is never either so graceful as sometimes the one set, nor is ever so odious as is sometimes the other’. ‘Grief and joy, when conceived upon account of our own private good or bad fortune, constitute this third set’.

Smith knows that the society in which he lives needs both sympathy and selfishness to work. It is a machine, whose working parts are individual humans, their passions driving them to behave in ways whose interaction determines the course of social development. Smith discusses the ideas of Mandeville (1670-1733), whose **Fable of the Bees**, subtitled **Private Vices, Public Benefits**, so incensed his contemporaries. For Mandeville, all human actions are motivated by selfishness, even when we pretend otherwise. There is no real difference between vice and virtue, and only self-love drives society along. Smith makes a lot of noise about rejecting such notions, but has to agree with Mandeville that, without selfishness, the economic machine would not function. The progress of humanity would be impossible without its darker sides.

The ancient stoics were of opinion, that as the world was governed by the all-ruling providence of a wise, powerful, and good God, every single event ought to be regarded as making a necessary part of the plan of the universe, and as tending to promote the general order and happiness of the whole: that the vices and follies of mankind, therefore, made as necessary a part of this plan, as their wisdom or their virtue; and by that eternal art which educes good from ill, were made to tend equally to the prosperity and perfection of the great system of nature. (TMS, Part I, Section I, chapter ii.)

Smith updates this Stoic view of God’s wisdom and the harmony of the universe into a form fit for the modern world. Although people aim only to pursue their self-interest, the social machine is so beautifully constructed that people nonetheless promote the well-being of society as a whole. In the **Theory of Moral Sentiments**, this is explained in terms of the drive for the ‘pleasures of wealth and greatness’, resulting from a deception.
practised on them by nature. The outcome, however, is that wealth is eventually spread throughout society. The rich are led by an invisible hand to make nearly the same distribution of the necessaries of life, which would have been made, had the earth been divided into equal portions among all its inhabitants, and thus, without intending it, without knowing it, advance the interest of the society.

The *Wealth of Nations*, of course, develops this idea in much greater detail. As it famously explains:

> It is not from the benevolence of the butcher, the brewer or the baker, that we expect our dinner, but from their regard to their own interest. We address ourselves, not to their humanity, but to their self-love, and talk to them, not of our own necessities, but of their advantages. ([*Wealth of Nations*, I, ii])

And every individual, Smith later explains,

> generally, indeed, neither intends to promote the publick interest, nor knows how much he is promoting it. ... He intends only his own gain, and he is in this, as in many other cases, led by an invisible hand to promote an end which was no part of his intention. (IV, ii)

> Without any intervention of law, therefore, the private interests and passions of men naturally lead them to divide and distribute the stock of every society, among all the different employments carried on in it, as nearly as possible in the proportion which is most agreeable to the interests of the whole society. (IV, vii, c)

However, contrary to some of his latter-day devotees, Adam Smith was by no means content to leave the running of society completely to the blind workings of the market. The important final section of the *Wealth of Nations*, Book V, is devoted to the problems of the State and its relations with commerce, and its final pages investigate in great detail how taxation would affect the market.

But Smith is in no doubt as to the ultimate purpose of all government: the protection of property and the enforcement of labour.

> But avarice and ambition in the rich, in the poor the hatred of labour and the love of present ease and enjoyment, are the passions which prompt to invade property, passions much more steady in their operation, more universal in their influence. Wherever there is great property, there is great inequality. For one very rich man, there must be at least five hundred poor, and the affluence of the rich excites the indignation of the poor, who are often driven by want, and prompted by envy, to invade his possessions. ([WN, V, I, 2.])
And more succinctly, and more brutally:

Civil government, so far as it is instituted for the security of property, is in reality instituted for the defence of the rich against the poor, or of those who have some property against those who have none at all. [WN, V, I, 12.]

What could be clearer?

[1] On Kingship, Chapter 11. See also Summa II ii, Qu 42.
[3] For the recovered history of such movements, see, for example, the work of Edward Thompson (The Making of the English Working Class), the later work of Christopher Hill and two marvellous more recent books: Peter Linebaugh (The London Hanged, 1991) and Peter Linebaugh and Marcus Rediker (The Many-Headed Hydra Sailors, Slaves, Commoners and the Hidden History of the Revolutionary Atlantic. Boston, 2000).