The Social Contract

What’s in it for me? Become more politically engaged and participate in direct democracy.

The world has changed a lot since Rousseau first wrote The Social Contract in 1762. For one thing, the monarchies that reigned in Europe have mostly been supplanted by democratic governments that are elected through popular vote. At first glance, then, we might conclude that modern Western nation states have pretty much fulfilled Rousseau's vision of founding political authority on the will of the people. But, before we pat ourselves on the back for achieving democracy, let us note one glaring deficiency – our laws are decided by representatives, not the people. In fact, the vast majority of people today are not actively involved in the political processes that shape their lives. Most people aren’t even interested. Sure, we vote from time to time, and we often grumble about the decisions made by our so-called representatives. But, in the end, many choose comfort over self-determination. It’s easier to passively sit on the sidelines. In these blinks, we’ll see that civic engagement and participation is precisely what holds a state together, and when it’s absent, the state is in danger of becoming corrupt or of disintegrating altogether. In these blinks, you’ll learn:

why humans only became fully human at the dawn of civilization; why Rousseau was so wistful for the early Roman Republic; and what he said about Christianity that caused The Social Contract to be banned upon release.

States are only legitimate when citizens freely consent to live in them.

Few books open with a more memorable line than The Social Contract. “Man is born free, but he is everywhere in chains.” Just like that, Rousseau condemned the Europe of his day. The “chains” he refers to are the laws and conventions enforced on people by society, which restrict their freedom. Now, restrictions on human freedom might be justified if it means people receive some benefit from society in return. But, alas, as is too frequently the case, laws serve mainly just to reinforce the position of the rich and powerful at the expense of everybody else. So, from the point of view of the average person, living in society might seem like a pretty raw deal. This is the problem Rousseau had in mind when he undertook to write The Social Contract. What he wanted to know was: what exactly gives rulers the right to limit the freedom of their subjects? Or, in other words: when is living in society actually worth it for the people being ruled? The key message here is: States are only legitimate when citizens freely consent to live in them. In his quest to determine what makes political authority legitimate, the first option Rousseau considers is that rulers are simply superior to their subjects by nature. As an analogy, he suggests the relationship between rulers and subjects might be akin to that between parents and children. Parents have legitimate power over their children because they’re more developed and capable. Rousseau promptly rejects that rulers are analogous to parents, not just because there have been many hopelessly incapable leaders throughout history. No, he points out that political authorities don’t spring up out of nature spontaneously. They ascend to the top through overt acts of power. Thus, the second option Rousseau considers is whether rulers are legitimate because they’re

the most powerful, and therefore most capable of subduing a population. Again, Rousseau rejects the idea that power alone can produce legitimacy. Instead, he argues that for a political body to be legitimate, citizens themselves recognize its value and submit to it willingly. But, if people obey rulers only because they're forced to, they have no choice in the matter, and therefore don't possess the freedom to submit willingly. Finally, then, Rousseau concludes that for a state to have legitimacy, the people must submit to it freely. Thus, we arrive at the idea of the social contract. A state is formed legitimately when a number of people band together and agree to cooperate for the sake of their mutual benefit. Under the social contract, people are willing to accept constraints on their freedom because, in return, they enjoy greater peace, security, and prosperity than they otherwise would alone.

Humans only realize their full humanity under the rule of law.

Before humans formed communities by entering a social contract, they lived in what Rousseau calls the "state of nature." This is the period before humans were brought together under the rule of law. In the state of nature, Rousseau argued, humans possessed what he calls a "natural freedom." Having no restraints on their actions, humans were free to act on any impulse, desire, or temptation that struck them. But, once we entered the social contract, humans gave up a great deal of this natural freedom in exchange for the benefits of living in a community. We exchanged our natural freedom for civil freedom. We could no longer do anything we wanted, sure. But, the safety and material comfort that society affords allows us the freedom to pursue grander projects and higher forms of existence. Something else significant happened when we first came under the rule of law. No longer free to act on every impulse and desire that went through our heads, humans were forced to control themselves and think through the consequences of their actions for the sake of others. In effect, the institution of law marks the point when humans became rational and moral beings for the first time. The key message here is: Humans only realize their full humanity under the rule of law. The result of living in society is to have a sort of split consciousness. On the one hand, we still experience ourselves as individuals who have personal desires and interests, just as we did in the state of nature. But, on the other hand, we also experience ourselves as social beings who possess obligations to others and to the common good of society. These two sides of our experience are by no means always in tune. To make this clear, think back to how you felt the last time you had to pay your taxes. As an individual who has a personal interest in not handing over your money, you may have felt pretty bummed to see your earnings depleted. However, as a citizen who has an interest in living in a safe and well-ordered state, you may have consoled yourself that, yes, paying taxes is probably the right thing to do for the good of society. Rousseau argues that, since everyone in society has the same obligation to the common good, the society itself has a will of its own, which he calls the general will. He thereby characterizes society as a sort of collective person and declares it the sovereign.

In a legitimate state, the law should reflect the general will of the people.

The word "sovereign" already had a meaning before Rousseau took hold of it. In its

common usage, of course, the word sovereign refers to any ruler who exercises ultimate authority over a population. Traditionally, this would be a king or queen. Now, Rousseau keeps the idea that the sovereign exercises ultimate authority, but he denies that sovereignty can be exercised by a single person or group of people. Instead, he argues that the true source of authority in society is the social contract, which is itself an expression of the general will of the people. In this way, Rousseau essentially flipped the idea of sovereignty on its head. The king is no longer sovereign over the people; the people are sovereign over the king. The key message here is: In a legitimate state, the law should reflect the general will of the people. So, what does it really mean for the people to be sovereign over their nation? Well, it means nothing less than that the people freely choose the laws that govern them. In an ideal state, all the laws would be consented to by all the citizens because they would all agree that it's in their best interest to live under them. For example, laws that preserve the rights and freedoms of human beings are legitimate because we all agree that such laws benefit everybody. In an ideal state, the laws would be like a written record of everything the people collectively believe is good. By passing laws, the community is essentially expressing and enforcing its commitment to the collective good. Since any state that’s ruled by the people is a republic, Rousseau declares all legitimate states are republican. That being said, at this point, we’re only talking about the legislative side of governance — that is, how the laws are made. The actual institution of the government, which carries out the day-to-day business of implementing the law, can take almost any form. That means, for Rousseau, even a monarchy could be republican, so long as the monarch only exercises the will of the people. While a monarchy is probably not the best choice for a republic, Rousseau does make a point of emphasizing the positives of separating the sovereign from the government. That way, the people who implement the law are not the same people as those who decide the law, and you avoid any potential conflicts of interest. In the next blink, we’ll compare the different types of government to determine which is the most suitable for an ideal republic.

Of the three types of government, aristocracy has the most advantages.

While there are many ways of running a government, they all fall roughly into one of three types: a democracy, an aristocracy, and a monarchy. These three types exist on a spectrum. So, when all or most of the citizens are involved in implementing the law, it’s a democratic government. When only a small portion of the citizens are involved, it’s an aristocratic government. And, when a single person holds complete executive power, we have a monarchy. In practice, most states have mixed forms of government, with different arms of the state organized in different ways. The key message here is: Of the three types of government, aristocracy has the most advantages. Let’s deal first with democracy. It’s important to note that when Rousseau used the word democracy, he didn’t mean it in the way we understand it today. He was truly committed to government for the people, by the people. So, when he criticizes democracy, what he had in mind is a system where all the citizens are involved in actually running the government. He thinks that such a system would be plainly absurd for no other reason than that it would be incredibly impractical and inefficient to operate such a massive bureaucracy. Just imagine if every citizen of your nation was employed by the government. For this reason, he determined that democracy could work in only very small states. Next up is monarchy, which, unsurprisingly, Rousseau also had reservations about. He admits that monarchies are very efficient, since all power is

wielded by a single person. However, this very same efficiency is what makes monarchies so dangerous if the monarch turns out to be corrupt, cruel, or just plain incompetent. Monarchies also present a problem of succession. When monarchs die, it can create a vacuum of power that has the potential to throw states into civil war when competing parties vie for the throne. This is a problem that befell the late Roman Empire far too frequently. For these reasons, Rousseau casts monarchy aside as well. Finally, then, we have aristocracy — the best-case scenario for Rousseau. While the word aristocracy may have a negative ring to our modern ears, if we consider that the literal meaning of aristocracy is rule by the best, then it doesn't seem so controversial. Of course, in practice, the ruling elite aren't always the most skilled or qualified for the job. But, Rousseau maintains, an aristocracy elected on the basis of merit is still the most surefire way we have of ensuring that there are competent leaders at the helm.

Popular assemblies are the most sure way to communicate the general will.

Whichever form of government a state institutes, it's ultimately accountable to the sovereign— that is, the people. The sovereign determines the law that the government is to implement. And, in turn, the government also ensures the sovereign is living up to its side of the bargain by making sure people abide by the law. So, the sovereign and the government complement one another by separating and balancing power. In practice, however, this balance is more like a rivalry than a friendly collaboration. In particular, the government is in constant danger of reneging on its obligation to the people. Government officials are, after all, only human and there's always the temptation to abuse their power for personal gain. If this were to happen, the social contract would be nullified and the people would cease to be freely consenting citizens. That's why it's absolutely imperative that the people frequently evaluate their government to ensure it's still working on behalf of the general will. The best way to achieve this, says Rousseau, is for the citizens to regularly meet together in democratic assemblies. The key message here is: Popular assemblies are the most sure way to communicate the general will. So, although he didn't use the word, Rousseau is essentially a proponent of direct democracy. The people communicate the general will by gathering together in a public place and voicing their concerns collectively. While assembled, the people can propose, discuss, and vote on new laws. And they can also use the occasion to assess the performance and legitimacy of the government. It might seem unrealistic today to expect all the citizens of a nation to gather together in a single place, but as Rousseau is happy to point out, there have been precedents for such assemblies in the past. He was particularly fond of the Roman Republic, which, in its early years, was able to mobilize its hundreds of thousands of citizens to attend public assemblies almost every week. These assemblies were called comitia, and they essentially functioned as the sovereign body of Rome, allowing laws to be voted on by the people. The comitia were not just dry, administrative exercises; they were the beating heart of the republic. By acting together as one, the comitia promoted the spirit of civic virtue and participation that are so fundamental to the success of the social contract.

States should instil citizens with civic virtues by establishing a state religion.

So, we just mentioned civic virtues. What are they exactly? Civic virtues are all those positive qualities and habits that make somebody a good citizen. We're talking about things like voting, obeying the law, and otherwise just taking an interest in the life and health of your community. When civic virtues degenerate in a culture, this creates real problems for the unity and integrity of the social body. When people lose their sense of social responsibility, they tend to prioritize their personal interest over and above the common good. And, then it's only a matter of time before the state divides into political factions, each pushing their own agenda. Therefore, it's in the interest of the state to promote civic virtues. Somewhat controversially, Rousseau thought the best way to achieve this is to bring back the idea of state-sponsored religion. The key message here is: States should instill citizens with civic virtues by establishing a state religion. Rousseau points out that, in most ancient societies, religion was almost always tied to a national territory. Every ancient culture had its own religion and its own pantheon of gods who watched over and protected them, to the exclusion of all outsiders. For these cultures, religion explained the origin of their nation and provided the rituals and traditions that cemented the people together. Religion and national identity were simply inseparable. But when Christianity came along, it changed all that. Christianity was an evangelical religion that wasn't allied to any particular state. From early on, it had a diverse membership, with no ethnic or cultural ties bonding all Christians together. Consequently, the rise of Christianity made it possible to see church and state as distinct entities. In time, this would create an awkward division of power in the Christian nations, whereby the church set up its own set of laws and values in competition with those of the state. For this reason, Rousseau contended, the Christian church tended to detract from civic virtues. He also felt that Christianity's focus on purely spiritual matters promoted indifference toward public affairs. This is how Rousseau ends up arguing that we need to reinvigorate state-sponsored religion. To be clear, he believed that, so long as one's views don't disturb public harmony, people ought to be free to believe whatever they want. But, that being said, he proposed that the people should be taught a civil religion with a few basic dogmas that would encourage them to be better citizens. These dogmas include things like believing the law and the constitution to be sacrosanct, and valuing liberty and equality above all else. Basically, the state ought to make itself a national religion.

Final summary

The take-away message from these blinks is: The only legitimate state is one that exercises the general will of the people. Legitimacy can only be acquired when citizens consent to live under a political system willingly for their mutual benefit. While many different forms of government could potentially exercise the general will, and therefore be legitimate, Rousseau presents a recipe for an ideal state that he believes is likely to be stable and enduring in the long term. His ideal state is essentially a republic in which the laws are determined by the citizens who participate actively in democratic assemblies. The laws would then be put into practice by an aristocratic government run by a select group of qualified bureaucrats. Actionable advice: Engage in democratic actions to help keep your government accountable. Of course, nations have grown a lot larger since Rousseau's day, and it's obviously unrealistic to expect entire populations to meet together in a public space. However, local government is an entirely different animal, and you may find that there are more opportunities to make an impact on the laws of your city or province than on your nation as a whole. There are probably already local assemblies and meetings run by your regional administration that you could drop by on. But, if that doesn't sound to your taste, there are also plenty of political action

groups and NGOs looking for volunteers to help run their campaigns in the wider world.