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Day: _____

“Origin and Terms of the Social Contract”

Jean Jacques Rousseau (1712-1728) begins *The Social Contract* with the notable phrase "Man is born free, but everywhere he is in chains." Because these chains are not found in the state of nature, they must be creations of man. Rousseau thus seeks the basis for a legitimate, political authority in which people must give up their natural liberty. He sets two conditions for a lawful government and creates several clauses (items) to ensure that they are carried out. First, there must be no relationships of particular dependence in the state, and second, by obeying the laws, an individual only obeys himself.

Rousseau's solution to the problem of legitimate authority is the "social contract," an agreement by which the people band together for their mutual preservation (survival). This act of association creates a collective body called the "sovereign." The sovereign is the supreme authority in the state, and has its own life and will. The sovereign's interest, or the "general will," always promotes the common good. This is in contrast (opposite) to the private will of each citizen, which strives (reaches) only for personal benefit.

The law expresses the general will, and must only make regulations that affect the entire populace. The goal of legislation (lawmaking) is to protect liberty and equality and to promote the common good. However, the people may not always know how to pursue the common good and may need the help of a legislator to guide them in lawmaking. The legislator prevents private interests from

influencing legislation and aids the populace (people) in weighing short-term benefits against long-term costs.

Although the sovereign exercises legislative authority, the state also needs executive power to implement the general will. There are three main types of government: democracy, aristocracy, and monarchy. The type is chosen based on several factors, including population and climate. Smaller governments have more force than larger ones, and the population becomes more unruly as it grows. Rousseau thus argues that in general, there should be an inverse (opposite) relationship between the size of government and the size of the population. Thus, large states should have a monarchy, intermediate states should have an aristocracy, and small states should have a democracy.

Rousseau asserts that the establishment of government is not, as philosophers such as Hobbes argued, a contract. The sovereign employs the government as a representative of the people in charge of carrying out the general will. The sovereign thus can alter the form of government and replace its leaders as it chooses.

As the natural tendency of every government is to usurp (take) sovereignty and to invalidate the social contract, the government's interests are always in conflict with those of the sovereign. The best means of restraining the executive is holding periodic assemblies. Although this may seem difficult, Rousseau cites Ancient Rome to show that this can be achieved even in large states. When the

people convene (get together), they must decide whether they approve of the current form of government and their leaders.

Periodic assemblies can prolong the life of a state, but eventually every state will fall because of the usurpations of government. However, all citizens must fulfill their civic duties while the state exists. They cannot employ representatives to articulate the general will because sovereignty cannot be transferred. They also cannot use money to avoid their responsibilities, because this corrupts the state and destroys civil liberty.

When voting, each person must assess whether a law is in accordance with the general will - not whether it supports his private interests. Thus, he has an obligation to follow even those laws to which he does not give his consent. In a healthy state, people share common sentiment (emotion) and show agreement in the assemblies. In a declining state, people place their private interests above the common good and try to manipulate the legislative process.

Although the sovereign must allow for the religious freedoms of its members, it can impose a set of values that are necessary to being a "good" citizen. This system of beliefs, which Rousseau calls "civil religion," consists of belief in a God and the afterlife, universal justice, and respect for the sanctity of the social contract. The state has the power to banish from the state anyone who opposes the tenets of civil religion.

Jean Jacques Rousseau and the Social Contract

- 1) What does it mean to you when Rousseau states, “Man is born free, but everywhere he is in chains”?
- 2) What is Rousseau’s idea of The Social Contract?
- 3) What is the sovereign and how does it work?
- 4) What is the goal of legislation and why does Rousseau believe this does not always work?
- 5) Describe Rousseau’s belief on which types of countries should have what types of government?
- 6) How does Rousseau believe the tendency of governments to take full control can be avoided?
- 7) How do citizens keep up their part of the Social Contract (give multiple examples)?
- 8) According to Rousseau, what is civil religion? How does it work and what is the states authority when it comes to civil religion?