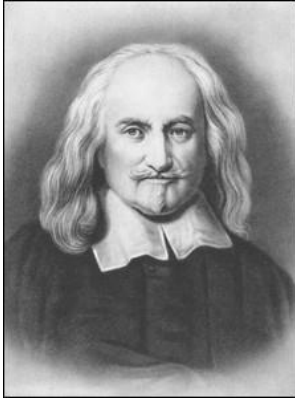


## Hobbes, Locke, Montesquieu, and Rousseau – The Social Contract (Civilization & Government)

Starting in the 1600s, European philosophers began debating the question of who should govern a nation. As the absolute rule of kings weakened, Enlightenment philosophers argued for different forms of democracy, each based on natural laws and humanistic principles – not divine appointment or raw power.

### Thomas Hobbes: A Necessary Monster



In 1649, a civil war broke out over who would rule England—Parliament or King Charles I. The war ended with the beheading of the king. Shortly after Charles was executed, an English philosopher, **Thomas Hobbes** (1588–1679), wrote *Leviathan*, a defense of the absolute power of kings. The title of the book referred to a leviathan, a mythological, whale-like sea monster that devoured whole ships. Hobbes likened the leviathan to government, a powerful state created to impose order. Hobbes began *Leviathan* by describing the “state of nature” where all individuals were naturally equal. Every person was free to do what he or she needed to do to survive. As a result, everyone suffered from “continued fear and danger of violent death; and the life of man [was] solitary, poor, nasty, brutish, and short.”

In the state of nature, there were no laws or anyone to enforce them. The only way out of this situation, **Hobbes** said, was for individuals to create some supreme power to impose peace on everyone.

**Hobbes** borrowed a concept from English contract law: an implied agreement. Hobbes asserted that the people agreed among themselves to “lay down” their natural rights of equality and freedom and give absolute power to a sovereign. The sovereign, created by the people, might be a person or a group. The sovereign would make and enforce the laws to secure a peaceful society, making life, liberty, and property possible. Hobbes called this agreement the “social contract.”

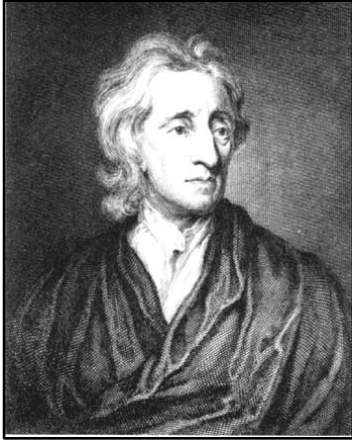
**Hobbes** believed that a government headed by a king was the best form that the sovereign could take. Placing all power in the hands of a king would mean more resolute and consistent exercise of political authority, **Hobbes** argued. **Hobbes** also maintained that the social contract was an agreement only among the people and not between them and their king. Once the people had given absolute power to the king, they had no right to revolt against him.

The American “Founding Fathers” agreed with **Hobbes** about the need for a “social contract” to hold society together. They understood that for society to advance, its members must be willing to sacrifice some of their individual freedoms for the greater good – a good which would benefit them as much as anyone else. They did not accept **Hobbes’** belief that a king or other central authority was necessary to hold it all together. The Founders disagreed about just how much power the central government should have, but they knew they did not want monarchy.

**Hobbes** warned against the church meddling with the king’s government. He feared religion could become a source of civil war. In any conflict between divine and royal law, **Hobbes** wrote, the individual should obey the king or choose death. But the days of absolute kings were numbered. A new age with fresh ideas was emerging—the European Enlightenment. Enlightenment thinkers wanted to improve human conditions on earth rather than concern themselves with religion and the afterlife. These thinkers valued reason, science, religious tolerance, and what they called “natural rights”—life, liberty, and property.

{Adapted from original at <https://www.crf-usa.org/bill-of-rights-in-action/bria-20-2-c-hobbes-locke-montesquieu-and-rousseau-on-government.html> - the Constitutional Rights Foundation}

## Locke: The Reluctant Democrat



**John Locke** (1632–1704) was born shortly before the English Civil War. **Locke** studied science and medicine at Oxford University and became a professor there. He sided with the Protestant Parliament against the Roman Catholic King James II in the Glorious Revolution of 1685. This event reduced the power of the king and made Parliament the major authority in English government.

In 1690, **Locke** published his *Two Treatises of Government*. He generally agreed with **Hobbes** that the difficulties associated with the “state of nature” required a social contract to assure peace, but **Locke’s** “state of nature” was uncertain and insecure rather than “nasty, brutish, and short.”

He also disagreed with **Hobbes** in regard to natural rights. **Locke** argued that natural rights such as life, liberty, and property existed in the state of nature and could never be taken away or even voluntarily given up by individuals. These rights were “inalienable” (impossible to surrender).

According to **Locke**, the natural rights of individuals limited the power of the king. The king did not hold absolute power, but acted only to enforce and protect the natural rights of the people. If a sovereign violated these rights, the social contract was broken, and the people had the right to revolt and establish a new government. Less than 100 years after **Locke** wrote his *Two Treatises of Government*, **Thomas Jefferson** used his theory in writing the Declaration of Independence.

Although **Locke** spoke out for freedom of thought, speech, and religion, he believed property to be the most important natural right. He declared that owners may do whatever they want with their property as long as they do not invade the rights of others. Government, he said, was mainly necessary to promote the “public good,” that is to protect property and encourage commerce and little else. “Govern lightly,” **Locke** said.

**Locke** favored a representative government such as the English Parliament, which had a hereditary House of Lords and an elected House of Commons. But he wanted representatives to be only men of property and business. Consequently, only adult male property owners should have the right to vote. **Locke** was reluctant to allow the propertyless masses of people to participate in government because he believed that they were unfit.

The supreme authority of government, **Locke** said, should reside in the law-making legislature, like England’s Parliament. The executive (prime minister) and courts would be creations of the legislature and under its authority.

The American “Founding Fathers” argued about the details, but most based their political philosophies on John **Locke** more than any other single source.

“Man being born, as has been proved, with a title to perfect freedom and an uncontrolled enjoyment of all the rights and privileges of the law of Nature, equally with any other man, or number of men in the world, hath by nature a power not only to preserve his property – that is, his life, liberty, and estate, against the injuries and attempts of other men, but to judge of and punish the breaches of that law in others...” (John **Locke**)

“The great and chief end, therefore, of men uniting into commonwealths, and putting themselves under government, is the preservation of their property...” (John **Locke**)

## Montesquieu: The Balanced Democrat



When **Charles Montesquieu** (1689–1755) was born, France was ruled by an absolute king, Louis XIV. **Montesquieu** was born into a noble family and educated in the law. He traveled extensively throughout Europe, including England, where he studied the Parliament. In 1722, he wrote a book, ridiculing the reign of Louis XIV and the doctrines of the Roman Catholic Church.

**Montesquieu** published his greatest work, *The Spirit of the Laws*, in 1748. Unlike **Hobbes** and **Locke**, **Montesquieu** believed that in the state of nature individuals were so fearful that they avoided violence and war. The need for food, **Montesquieu** said, caused the timid humans to associate with others and seek to live in a society. “As soon as man enters into a state of society,” **Montesquieu** wrote, “he loses the sense of his weakness, equality ceases, and then commences the state of war.”

**Montesquieu** did not describe a social contract as such. But he said that the state of war among individuals and nations led to human laws and government.

**Montesquieu** wrote that the main purpose of government is to maintain law and order, political liberty, and the property of the individual. **Montesquieu** opposed the absolute monarchy of his home country and favored the English system as the best model of government.

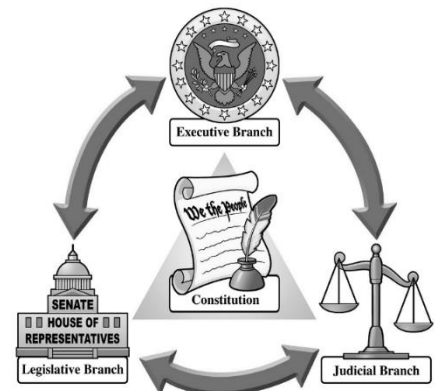
**Montesquieu** somewhat misinterpreted how political power was actually exercised in England. When he wrote *The Spirit of the Laws*, power was concentrated pretty much in Parliament, the national legislature.

**Montesquieu** thought he saw a separation and balancing of the powers of government in England.

**Montesquieu** viewed the English king as exercising executive power balanced by the lawmaking Parliament, which was itself divided into the House of Lords and the House of Commons, each checking the other. Then, the executive and legislative branches were still further balanced by an independent court system.

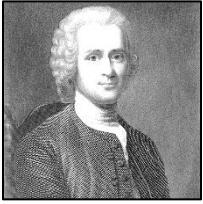
**Montesquieu** concluded that the best form of government was one in which the legislative, executive, and judicial powers were separate and kept each other in check to prevent any branch from becoming too powerful. He believed that uniting these powers, as in the monarchy of Louis XIV, would lead to despotism. While **Montesquieu’s** separation of powers theory did not accurately describe the government of England, Americans later adopted it as the foundation of the U.S. Constitution.

In other words, the American “Founding Fathers” adopted **Montesquieu’s** interpretation of the ideal government as having three equal branches which served different functions but also “checked and balanced” one another – even though **Montesquieu’s** ideas were based on his own misunderstanding of how things actually worked in England at the time. Unlike Hobbes, Locke, and Rousseau, **Montesquieu** didn’t write about the “social contract” by name, but he very much supported the idea that the primary purpose of government is to promote the greater good by maintaining law and order and protecting the rights of individuals – especially their property and their right to have a voice in their own government.



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## Rousseau: The Extreme Democrat



**Jean-Jacques Rousseau** (1712–1778) was born in Geneva, Switzerland, where all adult male citizens could vote for a representative government. **Rousseau** traveled in France and Italy, educating himself. In 1751, he won an essay contest. His fresh view that man was naturally good and was corrupted by society made him a celebrity in the French salons where artists, scientists, and writers gathered to discuss the latest ideas. A few years later he published another essay in which he described savages in a state of nature as free, equal, peaceful, and

happy. When people began to claim ownership of property, **Rousseau** argued, inequality, murder, and war resulted.

**Rousseau** had mixed feelings about the “social contract.” He believed the rich and powerful stole land and resources from everyone else and fool them into accepting them as rulers. The “social contract” was often a fraud against the people committed by the rich. At the same time, he envisioned a version of the “social contract” which could preserve human freedom in the face of wealth and power. He also wanted it to balance the growing interdependence of humanity (which promoted prosperity and greater personal satisfaction) and the rights of the individual.

In 1762, **Rousseau** published his most important work on political theory, *The Social Contract*. His opening line is still striking today: “Man is born free, and everywhere he is in chains.” **Rousseau** agreed with **Locke** that the individual should never be forced to give up his or her natural rights to a king.

The problem in the state of nature, **Rousseau** said, was to find a way to protect everyone’s life, liberty, and property while each person remained free. **Rousseau’s** solution was for people to enter into a social contract. They would give up all their rights, not to a king, but to “the whole community,” all the people. He called all the people the “sovereign,” a term used by **Hobbes** to mainly refer to a king. The people then exercised their “general will” to make laws for the “public good.”

**Rousseau** argued that the general will of the people could not be decided by elected representatives. He believed in a direct democracy in which everyone voted to express the general will and to make the laws of the land. **Rousseau** had in mind a democracy on a small scale, a city-state like his native Geneva. In **Rousseau’s** democracy, anyone who disobeyed the general will of the people “will be forced to be free.” He believed that citizens must obey the laws or be forced to do so as long as they remained a resident of the state. In his “civil state,” security, justice, liberty, and property are protected and enjoyed by all.

All political power, according to **Rousseau**, must reside with the people, exercising their general will. There can be no separation of powers, as **Montesquieu** proposed. The people, meeting together, will deliberate individually on laws and then by majority vote find the general will. **Rousseau’s** general will was later embodied in the words “We the people . . .” at the beginning of the U.S. Constitution.

**Rousseau** believed that religion divided and weakened the state. “It is impossible to live in peace with people you think are damned,” he said. He favored a “civil religion” that accepted God but concentrated on the sacredness of the social contract. He realized that democracy as he envisioned it would be hard to maintain. He warned, “As soon as any man says of the affairs of the State, ‘What does it matter to me?’ the State may be given up for lost.”

America’s Founders didn’t rely directly on Rousseau, but he added to the voices insisting that the community was essential for protecting the rights of the individual. Balancing the one and the many would prove forever challenging, but essential if any of the ideals of the Enlightenment were to be realized.

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