

The social contract



In the book 'Of the Social Contract or Principle of Political Right', Jean Jacques Rousseau, came up with a theory on how best a community can become a political community within the already existing community that is commercial. While in the book 'On Liberty' by John Mill it expresses how each individual has a right to make decisions by their own as long as is what they want to do and it does not harm others in any way. Both books however are short and their themes can be easily accessed even by non experts.

According to Rousseau, social contract notion is that, individuals come together into a society through a method of mutual consent, approving to abide by some rules and to commit in doing duties in order to protect each other from fraud, negligence or violence. When applied in humans, it means that individuals have to give up their sovereignty to a government or an authority, so that they may receive and maintain order socially by use of rule of law (Rousseau, 1762). 'On liberty' as stated by John Stuart Mill, above oneself, above one's mind and body, an individual is sovereign. Mill made this statement to oppose the theory of domination of majority. He added that through control of morality and etiquette, society becomes unelected authority that end up doing terrible things (Mill, 1993).

Under social contract, it can also be taken as an accord by the authority or government on some policies set through which all individuals under it are governed. But for Mill's work, it was as a reaction to communal control by the majority and his advocacy of self decision making above the individual. The philosophical point of view on the notion of social contract is that, for every member governed by those rules must do only those things in accordance to the existing rules, while in the notion on liberty, every individual does that

which he pleases as long as he does not affect other people from doing what they please.

If Mill and Rousseau were asked what was their fundamental basis for the belief in liberty, here is what Mill would answer. He would say that his belief on liberty is that liberty, in a great way consists of individuals' freedom outside coercion while when Rousseau is asked the same question, he would answer on the positive liberty where he would emphasize on the social agency and structure.

To add onto this, Mill would say that government is a dangerous weapon and it needs to be put under control of liberty of citizens. To him every person would be happy to be ruled by authority if their individual rule could be insured against tyranny. When under a government, one is not fully able to do as he wishes hence their liberty is influenced by the rules put by the authority over them. While for Rousseau, he would look on the positive side of liberty and say that, liberty is under two views, one on sovereignty and the other one on government. And he would state that sovereignty has no force over legislative power being used by government. Individuals under a government have freedom to do that which they wish to do and in case they do anything that has not been ratified by law, then that is taken as a void action.

To Mill the only reason why power can be rightfully operated over any independent individual of a civilized society, against their consent, is to prevent harm onto the other community members. Moreover, individuals will find their world better and more fulfilling than if they were following another

rule. But for Rousseau, he says liberty is necessary in order for justice and utility to be achieved. And the people have right not to submit to that government if the government breaches its contract refusing people to have their right and they may withdraw and regain their natural liberty.

Liberty is useful and beneficial to all and according to John Mill liberty is beneficial and useful in ways like, as long as the actions are not concerning the interest of any other person except themselves, then the individual is not accountable to society for their actions. Also the individual may be taken accountable for actions if they are prejudicial to the concerns and interests of others hence the person may face punishment legally if the society sees it necessary for the individual's protection.

Still on Mill's views, another benefit of liberty is that, in an overcrowded profession or competitive area, whoever reaps benefits leading to others having losses, society admits no rights or compensation to the disappointed party that are meant to act as immunity from this kind of actions unless fraud or force have been employed. If some actions are found not to affect other people but are injurious to the individual they are not to be prevented. But if such actions are done in public and do causes' violation of bad manners, then they are taken as offences.

On the side of Rousseau, the benefits and usefulness of liberty is that individuals' owing their liberty is enclosed within rules hence a sense of compassion is bestowed to help in reasoning because, if men were left to do as they will, they would end up being beasts. Hence the compassion feeling generated, balances self interest love hence ensuring preservation of the

whole entire species. Another benefit is that even the weak individuals in the society have a chance to survive and acquire all they want as long as they commit themselves to doing that. Moreover, liberty is useful as it ensures no oppression of the weak by the strong individual. Owing a person should not affect another one as they go on with their doing, then the strong are bound from gaining illegally from the incapability of the weak (Bertram, 2003).

If both authors were to answer on the argument against illegitimate restriction on liberty, Rousseau would state that if the laws are illegitimate, then they should not be repealed or supported by the citizens of that society. A society is supposed to be ruled by the views of majority not of few individuals. Hence in an illegitimate restriction, the ideas of a single person or few high individuals are followed leading mostly to manipulation of others' sovereignty. The rest of the citizens owing that they have a right to voice their opinions; they should stand up and oppose that illegitimate restriction and try to acquire a legitimate society.

For Will, he would argue that in illegitimate restriction, the individual putting laws and restrictions that will favor their will; they end up causing losses and depriving other people their rights hence ending up benefiting from others' losses. In addition to this, he would argue that where illegitimate restriction occurs, it interferes with individual's liberty and hence the individuals should stand up and fight for their rights (Robson, 1963-91).

According to Rousseau, if asked on the relationship of liberty and government, he would answer that liberty is only functional in a situation where direct rule exist and is made as a whole by all individuals in that

community. To him liberty cannot exist unless the government is a democratic one and an autocratic government. Moreover, liberty exists where the sovereignty of all citizens is inseparable and inalienable. This means that no citizen's views can be kept aside when the laws to govern all are being made. The citizens should have the right to revise the rules as need change and they are able together to choose general rules which are to govern them all.

If the same question is directed to John Will, he would reply by stating that, negative liberty requires positive actions from the government or the society at large. To him the answers that each individual arrive at will vary from one person to another according to the circumstance of the matter. Hence the government is required to balance this answers and try to provide an answer that will be fair if not just to all. For the negative liberty, occurs where one has to do what he feels like owing that it goes in accordance to the laws that are put up by the community and enforced by the government.

On to another question of what the legitimate basis is for in limiting liberty, Rousseau would answer that owing that a community is made up of different individuals with different views and opinions, then, some individual's liberty need to be restricted. To add onto this, the laws are made by views of the majority, hence the few opposing a law enacted, they have to give up their will and to follow that law as that is what the majority want. Moreover, people having given up their sovereignty to the government, their liberty is restricted as they have consent to follow the rules set and those that govern all, hence they cannot do all that they want to do.

According to Will, the legitimate basis for limiting liberty is that, if all men are left to do what they will, the existence of human race would be endangered as individuals would turn to become monsters only doing that which will be of advantage to them irrespective of the effects it has onto others. Justice and fairness could not exist if liberty was not to be restricted. Moreover, the power given to the government should be restricted to ensure it does not go beyond its mandate and start manipulating people for the benefit of the few in the government.

Rousseau beliefs and arguments are true in that, the government is made up when people give up their liberty for their lives. In that, they all give up all their freedom to ensure that those who are stronger than them in some areas, they do not end up taking advantage of them a situation that may end up costing them their lives. Moreover, I support his argument that the laws made are made after observation of human behavior outside of any restriction or order. This ensures that the laws that are made do not go against the customs, culture and traditions of that community. On the argument of liberty and government, it is quite true that individuals need to be fully involved to come up with laws and be given right to revise the laws as with time situations go on changing and the laws also needed to be change with the needs of the majority in the community.

On the other side, John Will's arguments do also make sense although they are slightly different from those of Rousseau. People are usually born free but when they give up their sovereignty to the government, they end up being like in chains as they are not able to do all that they want to do as the laws do still govern their actions. It is also true that if men were to be left to

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do all that they want to do, many will end up going to extent of killing others just to acquire what they want and by this morality and justice would not be in operation.

The answers that the John and Rousseau have given to the questions discussed early do vary but in the end they are both right is just that the two authors do argue in different sides. Owing that everything has two sides, the addition of the two conclusions do make the questions to be fully answered in all perspectives. For the overall books, the authors have used simple English that is easy to understand. The phrasing of the paragraphs makes it interesting to understand. The authors have cited other philosophers' views, an indication that the books were fully researched on before being written. Clear and simple examples have been used hence ensuring that the readers are able to put the theories and arguments in real world situations in their minds hence resulting to better understanding of the books.