

Review

Evaluating the social contract theoretical ideas of Jean Jacques Rousseau: An analytical perspective on the state and relevance to contemporary society

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This paper evaluates the social contract theory from the view point of Jean Jacques Rousseau and applies the relevance to contemporary society. It is found that the social contract theorists traced the origin of the state to a social contract by individuals after an experience from the state of nature. Rousseau's state of nature initially guaranteed freedom and good life for the individuals until the institution of private property ushered injustices that called for an organized or civil society mainly to protect lives and property. He considered property as the root cause of moral corruption and injustice which made the individual to lose his freedom. Rousseau argues that property had to be controlled by the General Will which was the universal law that regained man's freedom and liberty in the civil society. Incidentally, Rousseau's ideas have been found relevant such that this paper recommends for its application to governance or administration of modern states. There should be willingness of the leaders, who are involved in this kind of contract with citizens, to ensure adequate provision of the basic needs and security for the citizens.

Key words: The State, social contract, theory, Jean Jacques Rousseau.

INTRODUCTION

The main concern of political thinkers, from the period of Plato to Marx, has principally remained the state, its evolution, organization and purpose. As argued by Appadorai (1974:19), some of the first issues raised by political theorists are the questions of: What is the origin of the state? Have men always lived under some form of political organizations? Appadorai further maintains that political scholars have never agreed on the answers to these fundamental issues, with the result that there are various theories concerning the beginning of the state

such as the social contract theory, the divine right theory, the force theory, the evolutionary theory, and so on.

This write-up attempts, analytically, to evaluate the social contract theory from the view point of Jean Jacques Rousseau. It must be noted at the onset that even the social contract theorists have not agreed on how the state came to be from their different analysis of life in the state of nature. They, however, commonly agreed that it was a social contract based on an experience from the state of nature. For instance, Thomas Hobbes viewed the

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contract as being between the people and the constituted authority while Locke says such a contract is “of all with all” but not a contract with government. Rousseau supported Locke in this way and emphasized that the contract is designed to provide “collective security”. Life in the state of nature, to Hobbes, is a general disposition to war “of every man against every man”, leading to perpetual fear and strife which consequently makes Hobbesian state of nature to be “solitary, poor, nasty, brutish and short. Locke’s ideas of the state of nature is moral and social in character. In it, men have rights and acknowledge duties, just that life in the state of nature, for Locke, is not satisfactory as peace is constantly upset by the corruption and viciousness of degenerate men which Locke stated plagues the ‘state of nature’ by lack of an established settled down law, lack of known and indifferent judge as well as the lack of an executive power to enforce just decisions. These, Locke argues, necessitated the formation of a civil society (the state) devoid of the evils, hence, the social contract. In this paper, analysis of Rousseau’s ‘state of nature’ and his ideas of the social contract are predominantly x-rayed. The next parts turn to look at the conceptual framework of the state, the historical antecedence and social contract ideas of Jean Jacques Rousseau (including his peculiar ‘state of nature’), and relevance of his ideas to contemporary society. critiques. conclusion and recommendations.

THE STATE: TOWARDS A CONCEPTUALIZATION

Scholars from the two major ideological strands of Marxism and liberalism have not commonly agreed on their perceptions of the concept of the state. Even within each of these conceptions, different authors perceive the state not exactly as others (Shaapera, 2012). Liberal theorizing on the concept of the state contends that the state is a political organization of human society that comprises organized attributes of contemporary institutions, like the legislature, executive and judiciary, with their respective roles of making and enforcing laws that are binding on the people within a defined geographical territory. It is the state, therefore, that provides the structures through which people and resources are organized and policy and priorities established. More so, the state is an institution for orderly progress of the society and an embodiment of justice for all (George-Genyi, 2005).

However, Marx and Engels, in the Communist Manifesto, argued that the state is “a committee for managing the affairs of the whole bourgeoisie” (Marx and Engels, 1975). This means that the state merely reflects the interests of the economically powerful class in the society. It is, thus, an instrument of class domination. Nonetheless, the Marxists equally agree that the state, sometimes, enjoys relative autonomy to provide for the needs of the people.

ROUSSEAU’S HISTORICAL BACKGROUND (1712-1778)

Jean Jacques Rousseau was born in the city of Geneva to a poor and unstable craftsman on June 28, 1712 (Enemuo, 1999:75; Mukherjee and Ramaswamy, 1999: 215). During his life time, Rousseau accomplished many things, including mastery in writing on music, politics, and education. He really became famous because of his writings. Rousseau’s father was a watchmaker and his mother died within a month of his birth which actually disintegrated the family; his parents were Christians of the protestant’s denomination; but Rousseau got converted to Catholicism under the influence of a lady called Madame de Warens, whom he subsequently became the lover. Rousseau “led the life of a vagabond and only after many years did he begin to educate himself” (Mukherjee and Ramaswamy, 1999). It has been noted therefore, that, at the age of 30, Rousseau went to Paris and started befriending another lady by name “Diderot”. From 1743 to 1744, Rousseau became the secretary to the French Ambassador in Venice where he again, developed an intimate relationship with one lady called Therese le Vasseur in 1745, who subsequently became the mother of his five children. All his children, writers have stated, were abandoned in an orphanage.

Jean Jacques Rousseau attained fame with his prize-winning essay, “*The Discourse on the Science and Arts*” in which he rejected progress based on the arts and science; that they did not elevate the moral standards of human beings. Also, in *the Discourse*, Rousseau traced the rise of inequality and the consequent fall of the human individuals. He had many other write-ups in addition to the *Discourse*. The “*Social Contract*” on which we are about to examine in this paper was also one of Rousseau’s major works. Rousseau was persecuted for religious reasons where his social contract and other works were burnt both in Paris and Geneva. He died in 1778.

ROUSSEAU’S POLITICAL IDEAS OF THE STATE OF NATURE

Jean Jacques Rousseau’s notion of the state of nature, according to Enemuo (1999:73-74), is not as gloomy as that of Hobbes, nor as optimistic as that of Locke. To Rousseau, men are not quarrelsome in the state of nature, nor have they the desire to dominate one another. Instead, they are solitary (like in Hobbes’), unreflecting, easily satisfied and without variety and opinion of selves. However, a time comes when men can no longer live isolated, so, initially, they came together occasionally to cooperate and unite their efforts to satisfy common wants. Later on, families are formed and subsequently, several families congregate to form society. At the inception of this society, there is no inequality, but when the institution of private property evolves, a group of

people resorts to plundering the others. Violence and insecurity followed and hence a suggestion that power be established to govern men and protect them from each other and from common enemies. This, men themselves subsequently entered into a social contract designed to provide “collective security” in the state. Therefore, the social contract theorists, in this case, Rousseau, saw the origin of state as a social contract among individuals in a state for purposes of enhancing collective security (Shaapera, 2008).

THE SOCIAL CONTRACT OF JEAN JACQUES ROUSSEAU

Rousseau’s social contract theory, as submitted by Enemu (1999:74), Appadorai (1974:27), and Mukherjee and Ramaswamy (1999), is a notion that the state is the result of a contract entered into by men who originally lived in a state of nature; that there was only one contract, the social pact to which government was not a party. Individuals surrendered all their rights to the community and therefore, after making the contract may have only such rights as are allowed to them by what Rousseau calls the General Will (Law). Sovereignty, which belongs to the community of such individuals, is absolute, not the government that is absolute. And that every individual is a sovereign-being that makes up the whole sovereign community. This means that the individuals still have freedom from depending on any other body rather than themselves in a contract so entered into by them in a society. The government so formed by individuals after this social contract is very much dependent on the people. As such, people only appointed from their equals some trustees who would ensure the execution of the objectives of the General Will (the common Law) for collective security in the overall interest of the community. The contract is of the society, not of government, every one is a ruler of himself. Rousseau argues, however, that it may be impossible for men to believe to govern themselves and so there arises the need to form a body that will execute the social contract, this body so formed (the government) is not party to the social contract, and the society can hold such a body (the government) responsible for failure in executing the agreements of the social contract to which it (the government) is not a party. Specifically, therefore, the major political ideas of Jean Jacques Rousseau can better be explained under his analysis of sovereignty, Freedom and independence of life, Inequality, institution of private property, the civil society, the General Will and individual freedom.

ROUSSEAU’S IDEAS OF SOVEREIGNTY, FREEDOM AND INDEPENDENCE OF LIFE

According to Rousseau, sovereignty belongs to the

people who constitute the community and the universal conformity to the General Will is what guarantees each individual’s freedom from dependence on any other person or body of persons (like the government). Interestingly, therefore, the individual remains as free as he was before in the state of nature. It should be recalled that, Rousseau’s state of nature, unlike Hobbes’, ensured good life initially for individuals. Naturally, individuals in this state of nature were free from hitches and artificial problems; there was human equality until men began to reason, creating for themselves the institution of private property which brought inequality in the state of nature that snatched their freedom (Verma, 1975). Some men threatened the existence of others and this called for an organized and regulatory society known as the state. Accordingly, with absolute sovereignty in such an organized society (the state) belonging to the community, of which every man is made a sovereign being, man gains his freedom and independence of life. “The popular sovereignty”, to Rousseau, is indivisible and inalienable because, the people cannot transfer their ultimate right to self-government of deciding their own destiny to any group or persons. Each individual is obliged to will and cultivate the general good (Anifowose and Enemu, 1999:74).

ROUSSEAU’S IDEA OF INEQUALITY

Jean Jacques Rousseau explained inequality by demonstrating how humans who were naturally healthy, good and roughly equal to one another, became sickly evil, intelligent and highly unequal when they mixed in society. As argued by Mukherjee and Ramaswamy (1999:219), “the greatest horror of modern society was the fact that it was a highly unequal one. The human being was capable of being perfect, which enabled him to come out of the state of nature, but in the process, he created an imbalance between needs and the ability to satisfy them through civilization”. Civilization had, therefore, multiplied the desire for needs and the inability to fulfill these needs made human beings in the civil society unhappy and highly unequal (Gaub, 2003). To Rousseau, thus, civilization “was corrupting and wrong”. It reflected artificial inequalities in the society.

ROUSSEAU’S ADVOCACY FOR SOCIAL EQUALITY

Rousseau was an advocate of approximate social equality but not total equality. He was willing to permit two sorts of inequality: (1) Natural inequality: which he explained equality between the young and the old, the weak and the strong, the wise and stupid, the tall and short, etc, and (2) Reward inequality: which was the inequality that resulted from rewarding those who rendered special service to the community. Natural inequalities and

Reward inequalities were the only types of inequalities that Rousseau permitted. He maintained that existing social inequalities did not belong to these permitted types. The social equality which Rousseau advocates for implied equality of opportunities. He repudiated differences in ability as the sole justification for social inequalities. Instead, Rousseau pointed out how human beings climbed over one another to get to the top. Thus, the rich and the powerful were vastly wealthier not because they were infinitely more gifted and talented but really because of the unscrupulous business practices that they and their ancestors had employed. They had always exploited other people to achieve their peculiar social (rich) status. This type of social inequality, Rousseau disqualifies and advocates for social equality, being equality of opportunities in a society.

ROUSSEAU'S IDEA ON INSTITUTION OF PRIVATE PROPERTY

Life in the state of nature, for Rousseau, was better than in the civil society because the institutionalization of property rights puts an end to the self-sufficiency that existed in the state of nature. This brings misery to the majority of the civil society while the same benefits a few. This implies that the formation of a civil society, the social contract in which people entered, was for adequate protection of the property and selfish interests of a few people but not intended to really preserve life and general security. He therefore recognized how property could become an instrument of private domination, the root cause of moral corruption and injustice. Property, thus, had to be controlled in the civil society by the General Will.

JEAN JACQUES ROUSSEAU AND THE CIVIL SOCIETY

In the civil society, Rousseau rejected the enlightenment's belief in human progress of reason through science and technology. For him, technology and civilization did not bring about moral improvement since continued decadence measured in terms of human unhappiness is the fate of most contemporary societies.

ROUSSEAU'S IDEA ON THE GENERAL WILL AND INDIVIDUAL FREEDOM:

In Rousseau's social contract, society and the individual were complemented. The right society controlled by the "General Will" would transform the individual to a humane person immortalized and free from unnecessary domination or dependence. According to him, "man is born free but is every where in chains". So, there is every need for an

organized society that would aim for the general rather than the particular interests of its members. The freedom that the individual enjoyed in the state of nature would be possible under the right kind of society governed by the "General Will". This General Will would be the source of all laws while the human being would be truly free if he follows the dictates of the Law. Civil liberty, for Rousseau, meant freedom from the assault of others; freedom from following the arbitrary will of another person and obedience to one's notion of liberty. Rousseau submitted therefore, that:

If one had to be free then one had to obey one's own will which meant that one's will and the laws of the state would have to be in harmony. Each individual would have to be a law maker, consenting to obey a law if it maximized freedom (Mukherjee and Ramaswamy, 1999: 225). It was for this reason that Rousseau desired that the Free State would be a consensual and participatory Democracy. That the 'General Will' could emerge only in an assembly of equal lawmakers, and this General Will could not be alienated. He explained that the "Executive Will" could not be the "General Will", thus, making the Legislature to be supreme.

THE ROLE OF THE LEGISLATURE IN ROUSSEAU'S POLITICAL IDEAS

Rousseau saw the Government as an agent of the General Will (Law) which was the sovereign entity in the body polity. He believed that one important reason, among others, for the success of any republic is the role of the Legislature. That, in the ancient republics, the legislature created persons capable of constituting the General Will. That the legislature proposed laws with the support of the people, therefore, the role of the legislature would be to transform individuals and change human nature, alter the constitution with the purpose of strengthening it for the general good of the whole community.

EVALUATING THE RELEVANCE OF ROUSSEAU'S IDEAS TO CONTEMPORARY SOCIETY

The social contract theory of Jean Jacques Rousseau is important in modern day society in a number of ways. First, it supplies the basis of the theory of popular sovereignty. Sovereignty in an organized society is purely vested with the people. As such, leaders or rulers of all kinds are supposed to be representatives of the interest and the General Will of the people. The people can not afford to share this sovereignty with any other body and hence sovereignty is indivisible, and it cannot be located outside the people hence it is equally inalienable.

Secondly, Rousseau's theory serves and unfolds the basis for democracy and the justification of revolutions

against arbitrary rule (Appadorai, 1974:28). For instance, it inspired the French Revolution of 1789 which was a revolt against the despotic French Monarch (Appadorai, 1974: 26). Buttressing this very relevance of Rousseau's theory (justification of Revolutions against arbitrary rule), Appadorai further argues that the revolutionary doctrine rests on two or three simple principles: That men are by nature free and equal. That the rights of government must be based on some compact freely entered into by these equal and independent individuals, and that the nature of the compact is such that the individual becomes part of the sovereign people, which has the inalienable right of determining its own constitution and legislation. So, when such rights are deprived the individuals (through arbitrary rule), the ground for revolution exists. More so, Rousseau's idea that the sovereign community was logically the only law maker, has had the indirect effect of stimulating direct Legislation by the people through present day Referendum and the initiative (Appadorai, 1974:28).

It should also be understood that Rousseau's analysis of the institution of private property educates, in no small measure, on the origin and root cause of moral corruption and injustice that bedevil modern societies of the world. Finally, Rousseau's ideas of individuals' liberty and freedom in a society are pointer to a call for total rejection of military dictatorship in modern states with its attendant suspension of the constitution and deny of human rights and freedom. Africa's case is relevant in this wise. Nevertheless, it must be remarked, at this juncture, that Rousseau's political analysis are inadequate in some ways, and this turns the attention of this write up to the critiques of his political ideas despite the relevance therein.

CRITIQUES OF ROUSSEAU'S POLITICAL IDEAS

Rousseau was scarcely aware of the fact that the unrestricted power of the General Will might result in absolutism in a community. "Power", it is said, "corrupts; and absolute power corrupts absolutely". Secondly, critics have pointed out that "to argue that the general will is always the disinterested will of the community for the common good, and therefore, always right, is to give a phrase where we ask for solution" (see Appadorai, 1974: 28-29). There is no guarantee that the will of the community will always turn out to be for the common good. The line between the 'General Will' so defined and the 'will of all' is not easy to draw. Man, by nature, is a selfish being; he can always think of his personal interest first before the general one.

More so, Rousseau's social contract theory, like his fellow contract theorists (Hobbes and Locke), has been criticized of being ahistorical. The theory does not take into cognizance the history and chronology of events in human lives. Suffice it to say that history does not tell

us when such a (social) contract took place in human existence and his (Rousseau's) analysis of the state of nature (like Hobbes and Locke) is too idealistic, utopia and hence unrealizable. Appadorai (1974: 29) confirms the foregoing assertions as he argues that:

From the historical point of view, the contract theory of the origin of political authority is untenable, not only because historical records are wanting as to those early times when, if at all, such compacts must have been made, but also because what historical evidence there is, from which by inference, primitive conditions may be imagined, is such as to show its impossibility.

Rousseau's theory has also been criticized of being illogical, by presupposing such political consciousness in a people who are merely living in a state of nature as (the consciousness) could be possible in individuals who are already within an organized state. Consequently, the theory is practically dangerous, being favorable to anarchy, because there can be no sufficient authority when the general will is contradicted by individuals' selfish will. This, Appadorai (1974) puts more clearer that "the state and its institutions are regarded as the result of the individual will, and therefore, it may be argued, they can have no sufficient authority when they contradict this individual will". This is, thus, capable of causing anarchy (a situation of lawlessness). However, with all its defects, Rousseau's social contract theory remains relevant, as earlier mentioned. It is still the originator of those purposes which the state can serve and which alone can justify the state's existence.

CONCLUSION AND POLICY RECOMMENDATIONS

Jean Jacques Rousseau's social contract theory traced the origin of the state to a social contract by individuals after an experience from the state of nature. His state of nature initially guaranteed freedom and good life for the inhabitants until the institution of private property ushered injustices that called for an organized or civil society mainly to protect lives and property. He considered property as being the root cause of moral corruption and injustice which consequently made the individual to lose his freedom. However, Rousseau argued that property had to be controlled by the General Will which was the universal law that regained man's freedom and liberty in the civil society. Liberty and individual sovereignty, for Rousseau, was the greatest good; and they were only possible when dependence between human beings were eliminated, if not at least, regulated by law (the General Will). He understood liberty as participation and popular sovereignty. To him, both the individual and the state were simultaneously sovereign. Both were needed to realize a just social and political order. Rousseau's social contract theory, therefore, projected the body polity as a moral being which would preserve the welfare of the

whole as well as its constituent parts. It (the body polity or the community) was the source of all laws and determined the relationships among its members. It would be an end itself and also a means to an end.

Consequently, Jean Jacques Rousseau's theory of the social contract became relevant in modern day society in a variety of ways. It supplies the basis of location of sovereignty in a social setting as the theory of popular sovereignty; it also serves the basis for democracy and the justification for revolutions against arbitrary rule; it gives impetus for the present day referendum and direct legislation by the people. His analysis on the institution of private property educates much on the root cause of the injustices and corruption that bedevil our contemporary society.

None the less, his political submissions were equally inadequate in that he was scarcely aware of the fact the unrestricted power of the General Will might result to absolutism. Therefore, to argue that the General will is always the overall will of the community, devoid of selfish individual interests of members, and is always right, is to forget the fact also that there is no guarantee for the will of the community to always turn out to be for the common good. This is because individuals' egoistic interests are inextricably perceived inherent in all human interactions. Man, by nature, is a selfish being. The theory's emphasis on the state as a result of the social contract makes it a historical-without evidence of records in history when such a contract and the state of nature existed. Some critics argued that his submissions are, therefore, illogical and practically dangerous, being favourable to anarchy. Despite these defects, Rousseau's theory still remains relevant. It is still the originator of those purposes which the state can serve and which alone can justify the state's existence. The following recommendations are considered expedient to make both Rousseau's ideas more effective and a more proper organization of contemporary societies.

Popular Participation: To ensure popular sovereignty, citizens of our contemporary societies be allowed the maximum freedom to participate in the governance of the affairs of their localities. This could rather be possible through representative democracy in modern day societies, due to the complexities of the contemporary world. Suffice it to say that modern governments, learning from Rousseau's ideas, should always be ready to respect and respond to popular views and interests for a free and participatory society, governed by law.

The Rule of Law: It is equally important to recommend that the "law", rather than people, should rule modern governments, given the relevance of the General Will (Law) in Rousseau's ideas. Our leaders' actions should be governed by law rather than by their selfish attachments or affiliations. The said law of the land must,

therefore, be made to reflect human face and its adjudication must not be selective nor delayed.

Above all, that the state is a social contract calls for the readiness and willingness of the leaders, who are involved in this kind of contract with citizens, to ensure adequate provision of their basic needs in life. This should be the priority of leadership or governance rather than always being busily involved in mere politicking, with the resources meant for use by the people being wasted and diverted to leaders' private businesses. Good, durable or quality roads, reliable electricity supply, health care services, employment opportunities, good salary structures for the labour force, qualitative education for citizens, among others, should be the priorities of leadership in service of humanity in our contemporary societies. These, among others, it is optimistic, would ensure a strong, reliable, free, equal, developed, income-comparable and an organized modern society governed by Law.

Conflict of Interests

The author has not declared any conflict of interests.

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