

History of Political Thought II: Legitimacy, Equality and the Social Contract
PS 392
Fall 2011

Andrew Rehfeld

Political Science

Office: Seigle Hall, 233, 935-5812

Rehfeld@wustl.edu

Office Hours: Monday, 1:30-3:00 PM

And by appointment

In this class we will explore the foundation of social contract theory that established modern conceptions of political legitimacy based on the idea of political equality. Looking first at the three classic statements by Hobbes, Locke and Rousseau, our class finishes with a sampling of 18th century work on institutions that attempt to translate many of these ideas into the workings of government. We conclude with a consideration of the relationship between ideal and non-ideal political theory.

Texts

Required:

1. Thomas Hobbes, *Leviathan*. Thomas Hobbes, Leviathan. E. Curley, ed. (Indianapolis: Hackett) 1994
2. John Locke, *Two Treatises on Government* and *A Letter Concerning Toleration*. Yale University Press. ISBN: 9780300100181
3. Jean Jacque Rousseau. *The First and Second Discourses*. St. Martin's Press: 978-0312694401
4. Jean Jacques Rousseau. *The Social Contract*. 978-0312694463. St. Martin's Press.

Recommended :

5. David Hume, *Essays Moral Political and Literary*. (Indianapolis: Liberty Press) 0-06597-056-4
6. Alexander Hamilton, James Madison and John Jay. *The Federalist*. Gideon Edition. Eds. G.W. Carey and J. McClellan. (Liberty Fund: Indianapolis).
7. Montesquieu, *The Spirit of the Laws*, Cambridge Texts in the History of Political Thought, Ed by Anne Cohler et al. New York, CUP: 1994 ISBN: 0-521-36974-6
8. Philip Pettit, *Made with Words*. Princeton University Press 2008. 978-0691-129-297
9. Quentin Skinner, *Visions of Politics: Volume III, Hobbes and Civil Science*. Cambridge University Press, 2002. 0521-89060-8

Requirements and Policies:

Grade:

Your grade will be based on the following:

50%, 2 Papers (25% each), due at noon on Thursday, October 20 and noon on Wednesday, December 14th. Papers should be dropped off in the political science office in Seigle Hall *and* sent to me electronically in a word file to rehfeld@wustl.edu.

40%, 2 in class exams (20% each).

10%, Class participation: a combination of attendance, study question completion and general participation. All reading is required unless otherwise indicated.

Policies

Late paper policy

All due dates and times are stated above. Because of this, late papers carry a high penalty: one letter grade deduction for *every day (or part thereof)* that the paper is late. (Family or medical emergencies are the only exception and you must see me as soon as possible.) If you have any questions about this policy, or if anything is unclear, please don't hesitate to speak with me.

Plagiarism

All written work submitted by students must be of their own creation and design. Any time someone else's words are used to substantiate an argument, illustrate a point, or for any other reasons, they must be set off in quotation marks and a reference given where that quote may be found. Any time someone else's ideas are paraphrased in new words, the original author and source must be cited in the same manner. Failure to do these and other basic rules of academic integrity as outlined in your student guide constitutes plagiarism.

If you are unsure whether a particular use of someone else's words or ideas is a violation of these rules, please do not hesitate to ask me about it *before submitting your work*. If you are caught plagiarizing I will refer the matter to the academic integrity panel at the dean's office. However, no matter what the panel recommends, I will almost certainly fail the student for the entire course if *any* plagiarized work is submitted as a student's own. I am not lenient about these matters.

Course Schedule

August 31: Introduction

Sept 5: Labor Day, no class

Thomas Hobbes (English. 1588-1679)

When Thomas Hobbes published *Leviathan* in 1651, King Charles I had just been executed and England was emerging from years of civil war. Hobbes is trying to explain why someone might have a right to rule over another person. His book presents a comprehensive argument that it is in man's

nature to seek peace and pursue it, but the best way to do that is to give a single individual—or a single group—complete authority over all. The right of ruling emerges from the nature of the agreement that individuals make establishing the sovereign authority. Hobbes' vision is often seen to be bleak—his description of life without a sovereign authority is that it is “solitary, poor, nasty, brutish and short.” Hobbes is the first theorist to offer a comprehensive account of the origins of sovereign authority that derive from individual freedom and equality. We'll want to ask whether Hobbes' ultimate vision is consistent with our understanding of human nature, democracy and justice.

Sept 7: On Human Nature

Reading: Hobbes, *Leviathan*. Frontispiece, Epistle Dedicatory, Contents, Intro. and ch's 1-7, Chapter 8 (paragraphs 1,2, 11, 14-19).

Sept 12: The State of Nature

Reading: Hobbes, *Leviathan*. Chapters 10 (1-38) 11 (1-4, 9, 17-27), 13, 14, 15.

Sept 14: Establishing The Commonwealth

Reading: Hobbes, *Leviathan*. Chapters 17-19, 20 (1-15), 21, 22 (1-10),

Sept 19: Envisioning life under Hobbes' Sovereign

Reading: Hobbes, *Leviathan*. Chapters 24, 25 (1-5), 26. (27 and 28 recommended)

Sept 21: Did Hobbes' have an ideal theory of government?

Reading: Hobbes, *Leviathan*. Chapters 29-32.

Sept 22: *Special Thursday night session.*

Review Session. No additional reading.

Sept 26: First Exam

Sept 28: No Class.

John Locke (English, 1632-1704)

In *Two Treatises of Government*, Locke offers an argument on the origins of civil society and the limits of government. The book was published anonymously in 1688, although it was likely written a number of years earlier. By then, the turmoil of mid-Century had been replaced by a period of stability when, in 1660 the monarchy was restored by Charles II (son of Charles I). As Locke was writing, trouble was brewing because of the worry that Charles' brother James would become the next king. Indeed, James did become King James II in 1685 and fears were realized as England again headed towards the kind of factionalism that marked the mid-Century civil war. James II would wind up leaving the throne through the so-called “Glorious Revolution” that installed William and Mary in 1689.

The Second Treatise was seen as justifying this revolutionary moment by placing the right to rule in a conditional grant of authority given to a ruler only to the extent their rule conformed to the good of the people. In this Locke offers an arguably moderated version of Hobbes' more absolutist theory.

In *The First Treatise* Locke uses Robert Filmer's *The Divine Right of Kings*, as a foil to argue against absolute rule, particularly that which claims to arise from the authority of God. Filmer had attempted

to show that sitting monarchs derived their authority from God via God's establishment of Adam as the first man with absolute authority. In the *First Treatise*, Locke demonstrated the inanity of Filmer's position and, more generally, the view that individuals can be said to have the right to rule on account of God's say so. The short passages from the First Treatise that I have recommended will give you a much better sense of Locke's project in the *Second Treatise*, a sense of what he was responding to. Our main focus, however, will be on the substantive argument of the *Second Treatise*.

As you read, remember that the *Second Treatise*, greatly influenced the founders of the United States. Indeed, see if you can find a famous line that Thomas Jefferson used for the Declaration of Independence in slightly altered form.

Oct 3: An alternative to the divine right of kings; Man before the the state.

Required reading:

Locke. *Second Treatise of Government*. Chapters 1-6. (33 pages)

Recommended reading:

Locke. *First Treatise of Government*. "The Preface," Contents, Sections: 1-3, 9, 10, 12-14, 40, 50-57, 59, 81, 86, 94, 104-06 (About 16 pages total)

Oct 5: Civil society and Government

Reading: Locke, *Second Treatise*: Chapters 7-12 (32 pages)

Oct 10: Limits on Government and its dissolution.

Reading: Locke, *Second Treatise*. Chapters 12-19 (42 pages)

Oct 12: Locke's Legacy

No additional reading.

John Locke:

A Letter Concerning Toleration

A century before Hobbes and Locke wrote, English society was violently torn between Protestants and Catholics as Henry VIII's establishment of the Anglican Church broke from Papal authority. Although the worst of that violence had been left behind once Elizabeth became Queen in 1558 and instituted a policy of toleration among Christians, the remnants of that conflict remained. Indeed, the English Civil wars of the 17th Century were fueled in part by the political consequences of the Protestant/Catholic rift. In this text, published in 1689, Locke provides an early statement of the principles of religious toleration, providing reasons for tolerating even those who believed things that were contrary to Christianity. As you read, look carefully at what Locke thinks about atheists. The letter provides an early statement of a principle of political liberalism in which the state is called on to respect all individuals no matter the content of their beliefs. However it raises the question for us: are there limits to what the state should tolerate?

Oct 17: The basis of religious Toleration

Required reading: Locke, "A Letter Concerning Toleration."

Recommended: Hobbes, *Leviathan*, Chapter 12.

Oct 19: How far does toleration extend?
Required reading: "A Letter Concerning Toleration."
Recommended: Hobbes, *Leviathan*, Chapter 12.

First Paper Due Thursday, October 20, Noon.

Oct 24: Problems with social contract theory; limits of the law.
David Hume. (Scottish, 1711-1776) *Essays Moral Political and Literary*. "Of the Original Contract" (1748) and "Of Passive Obedience" (1742) Pages 465-87 and 488-92 (Indianapolis: Liberty Press).

Jean Jacques Rousseau (French. 1712-1778)

Jean Jacques Rousseau came to literary fame when his essay on the arts and sciences won the first prize in a competition in 1750. That essay established Rousseau out as a complicated social critic identified for his view that the effects of the enlightenment (as we have come to know it) were not wholly positive. His second essay on inequality did not win a prize though it established Rousseau as a political critique as well. Both essays demonstrate his characteristic wit and broad intellectual scope, incorporating what we would call social and cultural anthropology, and political theory in a humanistic, literary style. Although his work was published before the crisis in France, his defense of direct democratic institutions and the idea of a General Will are often given as philosophical foundations for the French Revolution.

October 26: The downside of enlightenment.
Reading: Rousseau. *First Discourse*: "Discourse on the Arts and Sciences." Pp. 32-64 and Rousseau's lettered notes, pp. 182-183.

Oct 31: The rise of civilization.
Reading: Rousseau: *Second Discourse*: "Discourse on the origin and foundations of inequality" Part One (with notes) pp. 101-141 along with Rousseau's notes, pages 183-222

Nov 2: The rise of the state and government.
Reading: Rousseau: *Second Discourse*: "Discourse on the origin and foundations of inequality" pp. 141-181, and Rousseau's notes, pages 222-228.

Nov 7: What could give someone the right to rule?
Reading: *On the Social Contract*. Books I and II, with footnotes. Pp. 44-77.

Nov 9: On Government and institutions
Reading: *On the Social Contract*. Book III, with notes. Pp. 78-107.

Nov 14: On the interaction between culture and the state
Reading: *On the Social Contract*. Book IV, with notes. Pp. 108-132.

Nov 16: Understanding Rousseau
No additional Reading

Nov 21: Second exam.

Nov 23: No Class, Thanksgiving Break.

The Rise of Institutions: Hume, Montesquieu and Madison

During the 18th century Western political thought began to grapple with institutional solutions to the emerging problems associated with Representative Governments. In this final section of the course we will sample some of the foundational writings of this time from David Hume (Scottish, 1712?-1776), Montesquieu (French 1689-1755), James Madison (British American/American, 1751-1836) and Alexander Hamilton (British West Indian/American, 1755?-1804). In taking up these readings we will ask how well “rules of the game” can deal with the problems that diversity of people and interests raises in large representative systems.

Nov 28: David Hume, *Essays Moral Political and Literary*: “Of Parties in General” Pp. 54-62; “Of the Coalition of Parties.” Pp. 493–501; “Idea of a Perfect Commonwealth” Pp. 512-531.

Nov 30: Montesquieu, *Spirit of the Laws*,
Reading TBA

Dec 5: Madison and *The Federalist*,
Reading TBA

Dec 7: On Ideal and non-Ideal theory.
No additional reading.

Final Paper due Wednesday, Dec 14, Noon.