

Rousseau's Social Contract, Part 7: Book 2, Chs. 8-10

Book 2, Ch. 8: The People

Legislator must consider the fitness of the people when determining what laws to enact. Plato would not legislate for Arcadians or Cyrenaeans since their wealth would prevent equality. Crete under Minos didn't work because the people were already too corrupt.

Aside from the slightly worrisome hint that one of the goals of Rousseau's framework is "equality," this isn't too bad. Basically, cultural aspects can prevent or obstruct certain legal frameworks from operating properly. This makes a rough sort of sense. However, the problem is that Rousseau has already argued that the power of the State must be unlimited, decided only by itself. How does one find the proper limit between "laws for our own good," "laws to better us," and "laws we're not ready for?"

What prevents a would-be tyrant from blurring the distinctions or trying to go too far and draining the people dry for their own good?

Peoples generally "docile only in youth." Too many established customs and prejudices turn lawmaking into a dangerous proposition. Compares such situations to patients refusing care from doctors.

Rousseau is over-collectivizing and also kind of putting the kindest possible face on what inevitably leads to a system of State propaganda in education.

It's worth noting, perhaps, that a strong adherence to natural rights and small government could be considered "established customs and prejudices" in this sense... that means that a government built from such customs and prejudices must be "demoralized" in Yuri Bezmenov's terminology before the totalitarian Rousseau state concept can take hold.

Unfortunately, the blurry line between Lockean and Rousseauian States means that such demoralization is a relatively easy task, given a few generations.

State being "born again" due to revolution is a rare occurrence and cannot be counted on.

There is a nugget of truth here, too. Revolutions cannot generally be relied on to improve the freedom of the people.

"Liberty may be gained, but can never be recovered." Maxim (?) quoted by Rousseau.

Overstatement, of course. There are, however, definitely peoples who lapsed into tyranny because they were too complacent to guard carefully their liberties.

Patrick Henry, June 5, 1788: "Guard with jealous attention the public liberty. Suspect every one who approaches that jewel. Unfortunately, nothing will preserve it but downright force: Whenever you give up that force, you are inevitably ruined."

Youth is mature period before becoming too set in ways. Different for all peoples and hard to measure.

This is putting a pretty face on “the more of the incentive/punishment system that is handled through non-aggressive social pressures, the harder it will be to institute and maintain a totalitarian State.”

“Russia will never be really civilised, because it was civilised too soon.” Paragraph of historical analysis that Russia will conquer Europe and then be conquered by the Tartars. (Note: Russian nobility already had widespread Tartar/Tatar origins before 1700. Rousseau is hedging.)

Rousseau is essentially arguing that certain cultures/peoples are not suited to the frame of government that he believes to be proper. There’s no argument with this particular example of Russia, just assertions. One of the problems facing a totalitarian is the possibility that he might find it harder to subjugate some groups than others... The covenant society instead says to an incompatible culture: “We shall offer no violence against you, though we demand you remain where you are. Trade with us or not, as you wish. But any attempt to conquer us, rob us, invade us, or defraud us will be met with decisive and overwhelming force.”

Book 2, Ch. 9: The People (continued)

There is an ideal size for any State, such that it is “neither too large for good government, nor too small for self-maintenance.” Overextension weakens social ties. “long distances make administration more difficult” Each layer of additional further away government draws more wealth out of the people. Plus, people are less likely to feel allegiance toward rulers they never see.

I now notice the trend of Rousseau starting his chapters with obvious “reasonable” positions. The arguments that follow (if they follow) are generally poor, but the opening is something most people would agree with. This lends an air of “reasonableness” to his system that it really doesn’t deserve.

Different customs and such call for different laws. Pushing the same laws onto too different of people leads to “trouble and confusion.” “Talent is buried, virtue unknown, and vice unpunished.”

Legal/cultural mismatch being a problem seems to be a reason to prefer less coercive, less powerful States. The fact is that people who are similar at one point can become different in the future. This is why attempting to make States semi-permanent and dependent on implied consent is such a disaster in the long run.

Metaphor of peoples having pressure against others, State as inward pressure, Rousseau calls for balance of pressures.

Too much metaphor makes for a silly argument. Rousseau is trying to justify making States a little bigger than voluntary organizations fulfilling the same demands could be.

One of the problems with this is that the statist will always find a reason to expand. After all, unless they are much more powerful than all other States combined, they’re still in danger. If ever they become more powerful than all other States combined, then they need more power to handle the massive waste that large coercive organizations necessarily cause.

Vigor of well-governed people better than resources from large holdings.

This is the kind of thing that would restrict angels, should we ever find any to govern us, but not people.

Some states are made up such that expansion/conquest is part of their nature... this leads to self-congratulation pretty much up to the point of collapse.

Note that a State that is so repressive that its people cannot even maintain themselves is already so far down the road to totalitarianism that it is unlikely they will escape collapse.

Book 2, Ch. 10: The People (continued)

Two measures of body politic: territory and population. “the right relation therefore is that the land should suffice for the maintenance of the inhabitants, and that there should be as many inhabitants as the land can maintain.” Too much land = hard to defend, too little land = dependency on neighbors.

Obvious pre-marginal revolution, primarily subsistence farming kind of thinking. Assumes current standards of living are effectively permanent. Instead, the balancing act is between people’s ability to produce surpluses and save and increase the productivity of their labor with new capital goods, and the people’s desire for leisure and consumption.

The best way to encourage this is to allow people to reap the rewards for serving consumers efficiently. A totalitarian government dedicated to some or any form of “equality” will never allow this to proceed anywhere near as far as it would under a system dedicated instead to a concrete concept of private property rights and defense of private property. “Life, liberty, and the pursuit of happiness,” in other words.

Amount of land needed for a given people uncertain, depends on many variables. Legislator must have foresight and aim toward the state “that to which [the people] ought naturally to attain.”

Legislators should ideally be far-sighted and look at many variables. Obviously, but this actually just barely scrapes up against [Mises’s Calculation Problem](#) and [Hayek’s Knowledge Problem](#). The legislator will never be in the best position to be far-sighted.

Odd paragraph about “enjoyment of peace and plenty...” seems to be suggesting lawmaking should be used to keep people a bit off balance in times of peace, though prosperous? (Maybe he’s saying that the least likely time for bad laws to be accepted is during peace & prosperity?) “the moment when a battalion is forming up, [is] when its body is least capable of offering resistance and easiest to destroy.” “war, famine, or sedition” at “time of crisis” will mean overthrow of the State. Tyrants make laws during times of high tension, depending on the hot blood of the people to overlook the problems with the new laws.

Okay, after reading this paragraph and the next one several times, I believe Rousseau is saying that laws should only be passed during times of peace and prosperity. Laws passed during upheavals are likely to base their support from short-term aggravations of the people, and therefore might actually worsen things. It’s a clumsily worded paragraph.

Best people to legislate for/upon are those with some unity (national) but no experience with the “real yoke of law.” Minimal customs/superstitions. No risk of sudden invasion. Independence from foreign reliances either incoming or outgoing. Self-sufficient, not rich or poor.

Rousseau is basically saying that his framework is only suited to a very small subset of people, because many people have too much baggage to let his followers take control of everything and dictate terms to the people.

He’s failing the “man as he is” test again. Obviously the value of these texts on political philosophy is to try to convince people that the author’s system is superior and can be applied to the reader’s society in order to improve things for good people. That’s why the obvious starting point to me is, “What will people agree to, voluntarily?” From there, we can build upward if we so desire, but everything else requires some sort of force or implied consent.

The problem with using force and implied consent is that you make yourself vulnerable to any sort of violence from those you convince that you are at war with them and their interests. It returns us to might makes right, just with extra steps. If we want a system of might makes right, then we can have a warlord or whatever. The goal of the Classical Liberal movement, and later the libertarian/voluntaryist/anarchist movements has been to create a system which is ultimately more stable because it rests on actual consent, and not any sort of threat or trickery.

It may only ever be reached by a small group, or it may never be reached, but the goal of all this philosophy is to examine how it might occur, and what patterns of thought we need to work ourselves out of in order to have a hope of accomplishing it.

Difficulty in legislation is not building up new stuff but destroying the old.

As opposed to a system of legislation that doesn’t require destroying the old, or at least, destroys as little of it as necessary.

One country remains in Europe “capable of being given laws—Corsica.”

(note: Corsica was ruled by the Republic of Genoa up to 1755. Seceded then (self-proclaimed) and was then handed from Genoa to France in 1768, annexed/conquered 1769. Napoleon was a Corsican.

For a contemporary account of the Corsican Republic, check out [James Boswell’s *An Account of Corsica*](#).

Footnote: Tlascalala was a country contained within Aztec empire that refused to become a vassal state or dependent on the Aztecs. Their cooperation with the Spanish conquistadors helped to overthrow and destroy the Aztec empire.

There is no concrete reason why a Rousseauian Aztec wouldn’t have declared the Tlaxcalans a rebel group and justified subjugating them. This is the problem with a system where the State determines its own limits and judges its own actions: it has nothing preventing it from expanding those limits and justifying them.