

Gov. ~~H-1~~ 1

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SCHEDULE OF WEEKLY ASSIGNMENTS

GOVERNMENT I

First Half-Year

1942-43

WEEK OF SEPTEMBER 27, 1942: INTRODUCTION TO THE STUDY OF MODERN GOVERNMENT.

Plato, The Republic (Everyman Edition)

~~Book I~~

~~Book II (to bottom of p. 54)~~

WEEK OF OCTOBER 4, 1942: THE PHILOSOPHICAL APPROACH TO GOVERNMENT. PLATO.

Plato, The Republic

~~Book III (from bottom of p. 97)~~

~~Book IV~~

~~Book V~~

~~Book IX (to bottom of p. 279)~~

WEEK OF OCTOBER 11, 1942: THE SCIENTIFIC APPROACH TO GOVERNMENT. ARISTOTLE.

Aristotle, The Politics (Everyman Edition)

~~Book I, Chs. 1 - 10~~

~~Book II, Chs. 1 - 5~~

~~Book III~~

~~Book IV, Chs. 1 - 12~~

~~Book V, Chs. 1 - 7~~

WEEK OF OCTOBER 18, 1942: MACHIAVELLI AND THE PRINCE.

~~Machiavelli, N., The Prince (Modern Library Edition)~~

~~Introduction by Max Lerner~~

~~The Prince (entire)~~

WEEK OF OCTOBER 25, 1942: THE BEGINNINGS OF BRITISH SOCIAL CONTRACT THEORY.

~~Hobbes, Thomas, The Leviathan (Everyman Edition)~~

~~Introduction (by Hobbes)~~

~~Chs. 13, 14, 17, 18, 19, 21.~~

~~Locke, John, Second Treatise on Government (Everyman Edition)~~

WEEK OF NOVEMBER 1, 1942: ROUSSEAU'S DEVELOPMENT OF THE CONTRACT.

~~Rousseau, J.J., The Social Contract (Everyman Edition)~~

~~Introduction, and~~

~~Books I - III, IV (Chs. 1, 2, 8.)~~

WEEK OF NOVEMBER 8, 1942: BRITISH LIBERALISM.

~~Mill, J.S., Essay on Liberty (Everyman Edition)~~

~~Mill, J.S., Representative Government (Everyman Edition)~~

~~Ch. 3.~~

~~Hobhouse, L.T., Liberalism (Home University Library Edition)~~

~~Chs. 6 - 8.~~

9-11 - Chapman
H - Parell

WEEK OF NOVEMBER 15, 1942: COMMUNISM AND THE SOVIET UNION.

Oakeshott, M., Social and Political Doctrines of Contemporary Europe, Part III, pp. 82-101, 122-135.

Laski, H., Communism

~~Chs. 1, 2, 4, Conclusion.~~

Munro, W.B., The Governments of Europe (1938)

~~Chs. XI and XII~~

~~Shottwell~~

WEEK OF NOVEMBER 22, 1942: THE BACKGROUND OF NATIONAL SOCIALISM.

Hitler, A., Mein Kampf

Vol. I, Chs. I, V, VI, VII, XI (to p. 412)

Vol. II, Chs. II, III, IV, VIII, XI

WEEK OF NOVEMBER 29, 1942: THE NATIONAL SOCIALIST STATE

Loewenstein, K., Hitler's Germany

WEEK OF DECEMBER 6, 1942: THE BRITISH CONSTITUTION.

Munro, W.B., The Governments of Europe

~~Chs. II, III, XVI~~

Jennings, W.I., The British Constitution

~~Chs. I, II~~

WEEK OF DECEMBER 13, 1942: KING, LORDS, AND COMMONS.

Munro, W.B., The Governments of Europe

~~Chs. IV, VIII, IX, X, XI, XII, XIII~~

Jennings, W.I., The British Constitution

~~Chs. III, IV, V~~

WEEK OF JANUARY 3, 1943: PRIME MINISTER AND CABINET.

Munro, W.B., The Governments of Europe

~~Chs. V, VI~~

Jennings, W.I., The British Constitution

~~Chs. VII, VIII~~

WEEK OF JANUARY 10, 1943: BRITISH ADMINISTRATION

Stout, H.M., Public Service in Great Britain

Jennings, W.I., The British Constitution

~~Ch. VI~~

Collateral Reading

DUE WEEK OF NOVEMBER 29: Cobban, A., Dictatorship

DUE WEEK OF JANUARY 3: Laski, H., Parliamentary Government in Great Britain

Ask him
what % of
American
electorate
votes.

Stephens, Jan. 8

Chaps ~~7~~ 7 & 8 in Jennings recommended

See him, Holyoke 13, at 7:30 P.M.,

Wednesday, Jan. 13

& why
There is less
corruption
there than
here.

Prime minister's budget recommendations generally followed, but not president's. Our Congress makes budget bigger, tho not by doing what president wants, but by pork barreling. Chancellor of Exchequer has much power in determining budget.

Overlapping powers of ministers puts decision on prime minister, gives him his power.

Republicans had 52% ~~more~~ popular majority in lower House elections but Democrats have seat majority.

65-70% Americans vote. But this is partly due to solid south's disinterest in general because primaries settle everything. England was once corrupt, reasons for present lack of it multifarious.

American vote rises in depressions.

Jennings, Ch. 5, The Monarchy

1 important function - choosing prime minister. King has some discretion here. Must use his powers non-partisonly, & does. Much amateur civil service - peers, aldermen, councillors, magistrates, Royal Commissioners, advisory committeemen, etc. & concrete symbol for la patrie.

Munro, Ch. 5 - Ministry & Cabinet

p. 82
'37, 1st legal mention. Early privy council. Danby's significant dismissal by Pmt., '79. '88, full Pmt. control over cab. Privy council superseded by cab. c. 1680, remains as judiciary. Whig Junta (Sunderland), & then Walpole make principle of party solidarity in cab. Walp. & prime min. appts. all others, cabinet responsibility, policy. Cabinet has now grown to c. 20 members. Privy council, ministers & cabinet ministers. "Ministry" includes all officials who have office with prime minister. Only cabinet ministers have collective functions. Prime minister decides which ministers shall be in his cab. "Government" means the "administration", prevailing sentiment etc. Prime minister chosen by King, rarely a great man. P.M. chooses cab., regarding interests. So every cabinet has some compromise & coalition in it. Monarch has slight influence - Victoria. World War & post '31 cab.s have been coalition.

Chap. 6 - Cabinet Functions & responsibility.

Individual & collective functions. More work than there used to be. Chanc. of excheq. prepares budgets, defends it on floor of commons. Lord Chanc. presides over Lords court. Sec.s of State for Foreign Affairs, War, Air, Home Affairs, Dominions, Colonies, India, Scotland, . Justice - 4 min. Etc. Ancillary agencies. - like C.C.C.

Cabinet as unit. Committees. Leads legislation. Responsibility
a) To King (not much) b) To each other c) To House
Is not too much attributed to the 2 party

system? Is it not the standards of the people that
is more important?

Laski: Parl. Gov. in Eng.

I. Introductory. 1)

Prerequisites 1) All are fundamentally agreed, so no force is used
2) No class excluded 3) Tolerance, which requires security.

But Fabians are wrong - ~~the~~ reason will never overthrow "capitalism" (bull). Burke, Locke, Smith think aim of state is preservation of property. Socialism cannot win by reason, & ∴, presumably, must use force. (If it cannot win by reason, it is

P&P is, in many

wrong) places, uninteresting & prolix. A new book is needed. 2) Political, not ec., democracy. Persons of high church & everything is "cap.". Rich hate poor. System works ok when expanding (because of free land at frontier), but breaks down now. (cf. Keynes) His argument: the rich object to socialism, even meeting force with force, ∴ they will never give up privileges in any way save by force - pure bull, of course.

Laski that makes Socialism spread?

Doubtful. Marx was no college man. Ability & energy, applied nearly anywhere, will influence good men.

3) The Conventions of the const. They will be suspended if someone decides to use force (so would ~~whole~~ ^{written} const). Failure of ec. system will result in violent overthrow of gov. We should avert violence (he says not how).

Chap. 2 - The Party System

1) Stereotyped rigidity of debates. - 2 sets of clichés. Reasons for party growth: 1) Larger electorate 2) Larger sphere of gov. intervention, requiring speedy transaction 3) Modern trend to vote for party principles, not personality. P.A. bad, for usual reasons. Party programs designed to please supporters.

When discussing wages fund theory get a whole lot of its popular catch phrases so people will know what is being discussed.

2) If Labour got in, business would stop, as confidence in future would go. Labour's opposition would not submit meekly. (So?) So Labour will probably not get in, but Conservatives in power will have to reform.

3) Only alternative to 2 party system is dictatorship. (under system where gov. must act a lot.) Party leader is an uncommon man of common opinions.

show class
how Georgism
is the synthesis
of the thesis

& anti-thesis
of Republicanism
& Democrat.

Name of
teacher in
big type &
list of
"sponsors" too
should be in
every class
announcement.
A different,
local announce-
ment for each
class.

Horkness's
strange atti-
tude: "We
must not go
back to the
old days of
high tariffs
& laissez-
faire." (!)
"Liberals" id-
entify the good
& the bad of
Republicanism.

Socialists must propagandize much before victory & offer victory put in their program, regardless of fearful
Conservative opposition. Conservatives passed anti-Trade Union Acts
in 1927 when they had seat majority but ~~are~~ popular
minority - so almost anything the socialists do is ok, then.

Chap. 3 - The House of Lords.

- 1) Only by always backing down on big issues has it remained.
Asquith & George created 223 peers - the very rich. Lords
~~delays~~ delays radicals, but never hinders conservatives.
- 2) Where bicameral is, one house gets power - Senate in U.S.
est-ce vrai??? Conservatives want to change Lords
slightly so labor won't change it greatly.
- 3) Referendums impractical.
- 4) Lash's usual inconclusive endings.

Chap. 4 - The House of Commons.

- 1) Its high quality debates have made English politically
conscious (well?) A body for getting business done
following main streams of thought, not all, forming gov. Then
ventilating grievances is next important. Investigation by
committees an important aspect of it. Karl Marx got most of
his facts from these committees. Also a debating ass., rarely
debates change party loyalty. Selective function - its best
men go higher. Parliamentary "trust", feeling of team
spirit - due to long terms and strong opposition. Latter keeps
gov. on toes, when opp. is weak gov. gets careless. Private
member's function no longer to initiate legislation
but to criticize. This prevents pork barreling. Ability of
Civil Service to advise minister & party power one
two big things that keep lobby power out of Eng.
- 2) Is control of House by Cabinet the secret of Brit. efficiency?
Cab. must elicit, not command, support. Parties used to make some assumptions, labor does not.

Aristotle - The Politics

Book I

Natural State

Paternal
organic

Natural slaves

"legal" slavery

2 kinds of master

Finance & domestic
economy

Wealth

2 uses of
wealth

- 1) State, like other organization, is to procure some good.
- 2) "Natural" masters & slaves combine to form state. Only Greeks can be natural masters. Household of master & slaves. Village, composite of families, patriarchal gov. State, of villages. "Proves" that State is "natural". (Morm given speech to distinguish justice & injustice, $\therefore$ is on higher plane of gregarious society than bees) State preceded individual & household - organic theory of State. Justice is a function of the State - man is vile without State.
- 3) Domestic economy -
- 4) Slaves - a property is an instrument conducing to existence, a slave is an animate property, an assistant in the sphere of action. "Natural" slave is one who is "naturally" not his own master - what bull.
- 5) Natural slavery - persons who can understand reason but do not possess it - who are as inferior to masters as body to soul, are slaves.
- 6) Legal slavery, that est. by conquest, is bad, & is different from "natural" slavery.
- 7) Functions of household master & State master different - one rules slaves, the other freemen
- 8) Finance provides domestic economy uses. Some branches of finance are part of dom. ec., others not. Production of wealth, e.g. agriculture, is dom. ec. Articles useful to people constitute wealth.
- 9) ~~Proper~~ Wealth may be used as an article of exchange. This originally ok, but developed into retail trading, which is bad, unnatural & unnecessary, unlimited acquisition of money its end.
- 10) Financial Art is a means, like medical art, which good householders & statesmen should use. Petty using is terrible, & is a misuse of the means of exchange.

Book II

Common prop. 1) Citizens must have 1) Nothing 2) Everything 3) Some things in common. (1) impossible. They must live together. (2) is Plato's idea.

Plato

2) Objections to Plato

I Unification of State not proved desirable

II If it were desirable, community of wives, kids, & property not proved desirable.

3 main

objections

III Paper limits of ^{communitistic} community not stated.

I. a) Unity of State means it approaches individual, & is destroyed.

b) Individuals are different in kind - this distinguishes organic whole like state from military confederation. Reciprocal equality the principle of a state.

c) Unity means State is less self-sufficient, which is bad. (he contradicts this earlier)

3) II. Unity will not be attained by common property.

A.) Common wives & sense of individual possession will be lacking 2) Looks will indicate who's whose.

4) 3) Man may murder his own kin 4) Affection will be lessened among guardians. 5. Difficult to jump caste walls. 6.) Incest

5) B. (Common property -

1) Disputes about how much to get. 2) Destroy pleasure of private property. 3) Liberality is impossible, as is continence with common wives.

Moral unity is desirable, should be achieved & then moral means like education.

If Socrates' idea were good, it would already have been tried. (Oh, how pitiful)

III 1) Shall husbandman, too, be Communized? Plato does not say. If so, they are same as guardians. If not, there will be dispute between 2 classes, just because they are different.

2) Only Plato's guardians are educated, but he says things will go well because of high character of all citizens.

3) 3rd class is utterly neglected.

4) Since 3rd class has only to pay rent & is otherwise

free, it will be arrogant.

5) If husbandman have no wives, but have property, who will do housework?

IV Minor objections - crummy as the rest.

inapposite

Book III

Citizen, def.

1) Citizen must be of military age, have a share in ex. & jud. parts of gov. City is a self-sufficient group

2) Citizen need not be son of one

Identity of city & relations to contracts.

3) Gov.'s may change, but one continuous, & the same, as regards contracts. - no. People may change, but not gov., so have it called the same city.

4) Do same qualities make good man & valuable citizen?

Book I - on a) Family & village as integral parts of state
b) Domestic relations - hereditary, conjugal, paternal
c) Money - getting - natural & artificial

Book II - Criticism of Plato

Book III - a) Definition of citizen & state
b) The various forms of gov.

Book III

Def. of citizen

1) State is collection of citizens. Citizen is one who shares in political power. Tyrannies, $\therefore$, have no citizens.

2) Hereditary basis for citizenship absurd.

Def. of state

3) Identity of state is in preservation of some form of gov.

Good man & good state

4) Virtue of good man always the same; but that of good citizen varies with type of gov. In ideal state, good man & good citizen identical. Ruler's virtue is prudence

Limited citizenship

5) Mechanics & tradesmen not citizens in ideal state. (Who, then, landowners) But they may have civil rights, if rich.

Man social

6) Gov. differs according to number who have power. Man a social animal, aside from material benefits of association.

Hist. 6 shelf

2 attitudes of sovereign (Zalkus - if your desire to be with certain people proves a common spirit or something, does your dislike of other people prove ~~that~~ anything? What?) Man rules slave for own good, wife & kids for common good. Sovereign power may take either attitude - if the former, it is bad, if latter, good.

3 forms of gov. 7) Monarchy, aristocracy, commonwealth - 3 proper forms. Tyranny, oligarchy, democracy - 3 perverted " ". 8) Subjects of tyrant analogous to slaves. Oligarchy - rule of rich; Democracy - rule of poor.

End of state 9) Virtue & merit, not liberty & riches, should have supreme power in state. End of State is perfect happy life. (well)

man ad- 10) Difficulties of monarchy, arist., olig., & mon. Do not say "let law rule", for it is administered by men.

Many better than a few, but take it easy! 11) Many better than a few - more good men among them. Masses should be given some lower offices, excluded from higher (his whole thesis assumes exploitation from the start). Should be fusion of upper & lower classes. Practitioners, prescribers, & students of theory in every art - including politics. So masses, ignorant of "theory", can form good judgements pragmatically, & more objectively than those in office. Supreme power in laws.

12) Justice the end of pol. science. Interest of state must be considered in doling out honors

Virtue rewarded 13) Man who is pre-eminent in virtue should be elected king & be obeyed by all.

14) What is best form of gov.? There are 5 kinds of monarchy

15) But 2 general - absolute & hereditary.

Good king & good laws Better to have a good king than good laws. - both should be good. Aristocracy rather than monarchy should correct law, as many minds are better than one, if no faction. Order of types - monarchy, arist., dem. - as it is easier to find one good man than a few than a many. Then oligarchy, then tyranny, & again democracy.

Aristotle, cont.

"Philosopher of the Golden Mean" - because he wavers continually between democracy & monarchy.

Monarchy hereditary? Unsolved. King should have power to enforce laws.

Ch. 16

Abs. mon. not natural - law rather should be supreme.

a) Citizens are equal b) Law is reason free from passion, or God. c) Many eyes see better than one d) 2 good men better than one e) Kings in power delegate power, making aristocracy, anyway, so arist. is better.

17) Some men fit for despotism, others for polity. Mon, aris., & repub. are only natural forms of gov. All citizens should share rule in republic. Outstanding person should be king (he is unagitated & equal education combined) Same education for all.

Book IV

a) States in general
b) Their different forms

1) Politician should know a) Theory b) Practice c) Constitution d) Best form of gov.

2) Tyranny the worst perversion, as monarchy is the best form. So democracy is the least bad perversion.

3) People make the state

4) Democracy - poor in poor but free citizens. Plato censured for not mentioning class who practice liberal arts. 8 classes of people, 5 kinds of democracies.

5) 4 kinds of olig. ∴ Wealth, birth, pop. elect, self elect.

6) 4 corresponding democracies.

8) Polity or republic - a fusion of democracy & olig. (use 2 best comp. forms & get one of the originals - minimum) Open to both rich & poor.

7) Polity rare in real life

9) Pol. arises in 3 ways 1) Rich taxed for poor 2) Anyone can have pol. power 3) Olig. & dem. principles combined. You should be able to call it either ~~both~~ olig. or dem. - a mean between

"Golden Mean"

them.

10) 3 kinds of tyranny 1) Barb. 2) ~~Asymmetric~~ asymmetric 3) 1 supreme, who consults his own interests

"Mean" 11) Middle ranks should be numerous. Where they are not, dem. or olig. prevails

12) Conservatives, rather than changers, should have power.

Quantity (masses) & quality (nobles) in a state. Laws should be for middle classes benefit.

Book V

a) Causes of preservation or overthrow of democracies

b) " " " " " " monarchies & tyrannies.

1) Sedition from false views of equality. Higher ranks want superiority. Change by 1) Form changes 2) Form remains, ruling body changes 3) Both remain, but application of theory is extended. Dem. & olig. most common forms of gov., olig. less safe.

2) — 3) 11 causes of sedition. Gov.s fail & live being on wrong principle at first. Ostracism. Difference of race, site, merit, cause sedition.

4) Methods - preaching or violence (hard true!)

5) Mob overthrows dem. Changed to tyranny or olig.

6) Internal dissensions of rulers or too much oppression overthrow olig.

7) Aristocracy, perverted by:

Few who get honours.

Some nobles rich, others poor.

One noble aims at tyranny.

States generally become what they naturally incline to be.

External causes may affect.

Stephens, Oct. 16

Constitutions

- * Zimmern, Alfred - The Greek Commonwealth
 - * Sabine - A hist. of pol. theory, Ch. 1
Plato -
 - * Sabine - 2, 3, 4
 - * Barker, Ernst - Greek Pol. Theorists: Plato & Predecessors.
Lindsay -
Aristotle
 - * Sabine - 5 & 6
 - * Barker - 5-11.
 - Bradley - "Aristotle's Conception of the State"
 - Jaeger
-

Winds from N.E.S., all others are declinations. (p. 110)

- 1) Sovereignty. It's not quite clear. Should be in polity, or should be in law. Greek looked up to law. (test question)
- 2) Ac.'s faith in middle class resp. for his being Golden Mean philosopher.
- 3) Species of states, due to differences in people, ranks in society.
Dem. gov. of poor, olig. that of rich.
- 4) Forms of democracy, & their differences.
Demagoguery - where everything is determined by vote, rather than by "law". Ochlocracy, gov. of many for many; town meetings
polity, gov. of many for all.
- 5) Oligarchies 1) Hereditary. (Might be ochlocracy) a) Under law, b) Not under law, approaches dynasty.
- 6) Aristocracy. gov. of best. Thinks middle class will give stability - collective virtue of many better than that of few.
- 7) Tyranny - 2 types, frank & subtle tyrant. Good tyrant governs by "law", bad by self. Revolutions caused by stirring of people for unity.
- 8) Demagogue may arise from a democracy, using power of oratory. Trivial incidents ~~often~~ are immediate causes.

Friedrich, Oct. 13

A scientific approach to the study of gov. - Aristotle

- 1) Life
- 2) Ar. ~~is~~ ^{not} an empiricist
- 3) His conception of the polis
- 4) Politics the highest "art"
- 5) Relation of politics & ethics
- 6) His classification of polises (or constitutions)
- 7) The best polis
- 8) The good life.

1) Aris. a pupil of Plato, much influenced. Time of decline of Athens & other city-states - Alex. great arising. He Ar.'s tutor. 3 parts of life. i) Member of Platonic Academy ii) Cutting loose from Plato's influence. Associated with a benevolent despot H a n a u s ?, in Asia Minor. ~~He~~ Alexander's tutor. - very small influence on him. iii) Started the Lyceum, peripatetic school.

2) Often interpreted as one, but not. He backs his contention with many facts not because he is an inductionist. It begins with definition of polis, then brings facts, just by way of illustration. We have Plato's written works, but ~~not~~ only Aristotle's lecture notes.

(Zöon politikon) 3) No individualistic idea of man - simply a "being dwelling in the polis". 3 layers ^{of society} a) The family b) Tribal village c) The polis Ignored empires like Alexander's. "Polis" unlike "State," because inseparable from church.

4) "Arts" as opposed to science, ~~not~~ arts meaning applied science. ~~That~~ Politics highest art because all arts lead up to final end of making a polis. It is art of associating all the other arts. If scientists do not look out for politics, there will be no science left. To Greek, alternative to polis is slavery.

5) Many "realists" approach politics from pragmatic viewpoint. Sophists did this & Machiavelli. Aristotle

combats his idea, & Plato, too.

Assumptions 1) Good polis assumes good citizen. Rousseau said men are naturally good, Arist. said what Bashom said.

- 6) 3 kinds of gov. to Greeks, autarchy, oligarchy, democracy. Arist. has 3 good ones & 3 bad ones. The objective with which rule is carried on makes it good or bad. (teleological approach) A cycle thru many different kinds of gov.
- 7) Not talking of a "ideal state". Ideals, prototypes, far above actualities. Both Plat & Arist. based on slavery.
- 8) The good life, the creative life. Politics only to set the stage for creative work (which to him is philosophy) Not mystic contemplation, but that of well rounded human.
A. had greatest influence on western society, but it was largely thru misinterpretation.

Stephens, Oct. 14

Arist. studied 150 constitutions before writing, unlike Plato.

He subordinated ethics to politics, unlike Plato.

1. Origin - families, tribe, state. Organic origin, combination for benefit mutual. State exists in mind before individual.
2. Function - to keep man from being a beast.
3. Citizens - one who can participate in executive & judicial functions of state.

(Plato & Arist. talked of "Division of powers"; like Montesquieu, but they were different things)

4. Def. - collection of citizens
5. Objections to Plato. Arist. the philosopher of the Golden mean - he wants to follow middle course.
6. Classification of gov.s.

Good)	Monarchy	Bad)	Tyranny
	Aristocracy		Oligarchy
	Polity		Democracy (extreme poverty)

In order of goodness: Ideal royalty, pure aristocracy, mixed arist., polity, moderate democracy, mod. oligarchy, intermediate Dem., inter. ol., extreme dem., ex. olig., tyranny

Watch a quiz next time.

State of nature

Hobbes. Brutal. No rights, because no compact. Force rules. All nearly, as they can kill each other. 3 causes of war.

Locke. Nice. But honest on selfish differences of opinion over what's "natural law" makes trouble. Not clear on this, like Hobbes. Personal enforcement of "law" - but no idea of law. Weird ideas about money.

Rousseau - Self interest & self pity prevail. Delightful. Material progress started wars, ended it. Family alone exists. Men =. Instinct rules, not justice. Not as nice as civil state.

Natural right

To preserve life - permissive. Inalienable from individual, even by sovereign - tho he may kill you, not unjustly, but inevitably.

To property, life, liberty. Sovereign must respect them. Attempted justification of prop. thru labor.

Slavery never natural, based on force. Mom cannot sell kids into slavery. But we had to have slavery, to preserve freedom.

Natural law

by reason
1) Mandatory - ~~do nothing to lose~~ ~~to take all steps to~~ preserve life. Goes to sovereign when state is set up. 2) By reason, be willing to form contract

A "reasonable" conduct. Civil law is just it written down.

~~Not someone - who talked about states coming to an end, not the change of persons, but change of sovereign? I think Hobbes. & Didn't Rousseau talk of natural law.~~

Stephens Oct. 23

Tues., Nov. 10, hour exam. Locke, Hobbes, Rousseau included. Questions will be of "thought-provoking" type e.g., "contrast liberty according to Hobbes, Locke, Rousseau". must know thoughts of each guy thoroughly. Don't read Turner's summary of discourses. (???) Religion a myth to bind people together - like syndicalist general strike, ~~and~~ (gen. strike means we live on present, not past, production) Sorel and Plato? Presented anti-nationalist pope in politics. Mass consent, even despots rely on it. Importance of leadership. Civilizations rise & fall.

Discourses

Not the father of power politics, simply described them.
"Keep the love of your people" he says all the way thru.
Public morality has always been considered lower than private.

Discourses written about Republic, before "The Prince"
→ Read Lerner's intro. He was a child of his times. Not
sufficient appreciation of economics. "Prince" may not be
all his real ideas, as he is bidding for power, which he never got.

Ch. 18 important. Mach. a much maligned character. -
Eliz. English, such as Shakespeare, condemn him without even
reading him. (like Henry George).

Counter-reformationists used Machiavelli, to uphold rights
of church. But rise of national states ~~at~~ turned church
against Mach.

Introduction to Machiavelli by Max Lerner
1498, just post Savonarola, Mach. became a Fl. bureaucrat, did
work for big shots, became diplomat, saw the inside. Studied
power. 1512, pope drove French from Italy, restored Medici to
Florence, abolished Republic & Machiavelli the Republic. Rest of
his life sought reinstatement, failed. Republicans, when reinstated,
kept Mach. out on account of his "Prince".

He the 1st realistic writer of time. Expressed what
everyone thought & knew. In 15th, political forms (city-
states) were not keeping pace with ec. development (oriental
trade) and strangled it. Mach. progressive - he wanted nation-
state, which was needed, & power to make it. (Lerner falls
for the usual idealist vs. realist crap)

"The Discourses" a long considered work. He thinks
Democratic Republic is best form of gov., with wars.

Impact of Mach. on European mind is Mach. is m.
Counter-reformation used him as foil. 1557, Mach. put
on the index - tho they followed his Principles. Elizabethan
drama fascinated by Mach. (Iago, e.g.), altho they had
never read him!!! (George parallel), not trans. till 1640
Fr. the Great refuses & then follows, 18th cent. hates him.
But nat. 19th cent. likes him. Fichte, Hegel, Comte

ethos

p. xxxviii

followed him. Concepts of staaträson & Realpolitik. Fascists & Socialists both follow him, frankly.

Machiavelli the "father of power politics" - not by inventing but by writing about them. (Herner's attitude - power politics will exist forever, nearly) (Herner ranks Stalin with Hitler) His end-justification; his means: - anything. He distinguished what is, & what should be. Herner pro what can be.

Miss Lyons.

Ch. 14 - That which concerns a prince on the subject of the art of war.

Prince should do nothing but study war. - study geography in the field & history.

Ch. 15 - Of things for which men, & esp. princes, are praised or blamed.

Prince should be personally as virtuous as possible.

Ch. 16 - Concerning liberality & meanness.

of Plato Not being, but seeming liberal is important. Live in outward splendor, but be not a burden. Meanness better than burdensome taxes. To become prince, seem liberal. To run kdm, be thrifty. If you live by loot of war, be liberal to soldiers.

Ch. 17 - Of cruelty & clemency, & is it better to be loved or feared?

Should be considered clement. But cruelty better than revolution. Better to be feared than loved, if a choice must be made. Men are base, & in time of stress are better held by fear than love. Hatred to be avoided. Above all, even killing, respect property.

p. 141

Ch. 18 - Of the way in which princes should keep faith

Better not, or you'll get squeezed. Half man, half beast. $\frac{1}{2}$ lion, $\frac{1}{2}$ fox. Appear religious & otherwise virtuous, but keeping faith will ruin you.

Ch. 19 - Avoid being despised and hated. - inspire fear & love.

Leave subjects' women & property alone. Have 2 fears - internal & foreign affairs. If strong at home, strong abroad. Leave "matters of reproach" in hands of others.

Ch. 20 - Are fortresses, & other princely resorts, advantageous.

question

All from your subjects - they are yours, & you need not mercenaries. Don't promote factionalism to weaken subjects, your strength is in them. Foster animosity against yourself & crush it, to rise higher. Those at first distrusted make better servants than those trusted - they will try to make up for bad opinion. Only build fortresses if you fear the people, not against foreigners.

Ch. 21 - How to gain renown

Machiavelli - To get more internal power, go to war. Always try to be spoken of. Don't borrow words, be a friend or an enemy. Always mix in current

Fights. etc.

Ch. 22 - Secretaries of princes.

Choose clever ones, for they are considered you. Honor them but don't give them much power.

p. 191

Ch. 23 - How to avoid flatterers

Avoid them by letting all tell you the truth. But then respect for you is lessened. Take 3rd course - select wisest man, let them tell you everything then come to own opinion. Good princes choose good advisors, & vice versa.

Ch. 24 - Why princes of Italy have lost their states

Failure to diligently follow this advice, not ill fortune.

Ch. 25 - What fortune can do, & how to withstand it.

She helps those that help themselves. Like a woman, goes to those who command her, rather than approach slowly & coldly.

Ch. 26 - An exhortation to liberate Italy from the barbarians.

Machiavelli, Nicolo; The Prince

Dedicated to Lorenzo the Magnificent - a frank request for money, very pimpish.

Chap. I. How many kinds of principalities there are, & by what means they are acquired.

All states either republics or principalities. Pr. either new or heredit. Acquired by Force

addmteallation

Chap. II. Hereditary prs. - easiest to hold

III Mixed "

To hold subject land, princes should live there, or plant colonies there. Men should be well treated or crushed. Should weaken neighbors, as discontents will use them (keen observations, wrong conclusions), or they will use discontents, as Romans did, to divide & conquer. Louis XII, e.g., entered Italy & was greeted by enemies of Venice & Pope. - his mistake, to help Pope, make enemies, & let Sp. come in, a rival power. Louis' 5 errors: destroyed minor powers, helped major power, introduced rival power, did not colonize, nor come himself.

(Chap. IV - Why the kd. of Persia, conquered by Alex., did not rebel against the successors of Alex. at his death.

2 different ways of governing - 1) Through subservient bureaucracy 2) Through "noble" bureaucracy of barons with land. (2) is divided - easier to conquer, harder to hold. Turks & Persians vs. French, e.g.

Chap. V - How to govern cities or principalities that lived under their own laws before being annexed.

1) Crush it 2) Live there 3) Create a friendly oligarchy to rule it. Free cities must be crushed or lived in. Those governed by a prince cannot act, are easily handled.

Chap. VI - Of new principalities which are acquired by one's own arms & ability.

good for class → Opportunity + ability makes a great man. The witty adventurer who makes a state has tough times, but once in the saddle has it easy. If he uses force, rather than "prayers", he's in. Sforza depended not on force, got kicked

Mach. a good social psychologist.

out when he was disbelieved in.

p. 53.

Ch. 7. - Of principalities acquired by good fortune, or the arms of others.

(As when Donius put garrisons over conquered cities.) Taught. Even crafty Cesare Borgia, helped by Pope Alex. 6, failed.

Ch. 8. - Of those who have obtained a pr. thru wickedness.

Examples: Agathocles, the Sicilian, King of Syracuse. Murdered a whole Senate to make self king. Mach. disapproves slightly. ✓ Oliverotto da Fermo, good soldier, parricide. If cruelties come all at a blow, then cease, one can get away with it. If they are continued, one will fail.

Ch. 9. - Of a civil pr. (prince is elected.)

Shrewdness the necessary quality. Either nobles make prince to withstand the people or viceversa. The former prince has rough time, being surrounded by "equals", the latter an easy time. Nobles wish to oppress, people only not to be oppressed, & one more reasonable. Prince made by nobles should make friends with the people, else he will be strangled some day. Prince should make people dependent on state, so they will not forget it in adversity.

Ch. 10. Measuring strength of principality.

It should be strong enough to meet any enemy in the field. (Obviously absurd) If impossible, be well fortified, like the German cities.

p. 91

Ch. 11. - Of ecclesiastical pr. s.

Hard to get, simple to keep - no work at all. Pope, Orsini & Colonna, power politics

Ch. 12. - How many kinds of soldiering there are, & concerning mercenaries.

Good laws & good arms make a successful state. Mercenaries, worthless. - if they should be good fighters, they will attack their masters. Citizen soldiers do not attack state, & fight hand. Captains of mercenaries, like Carthaginians, & Phillip of Macedon, will attack state. Italy ruled by mercenaries, hired by cities & pope, & so has no international mrl. power.

Ch. 13. - Of auxiliaries, mixed soldiering, & one's own.

Ex., like Sand. in Crimea. One is at power of Luther. The most dangerous of all things. Mixed forces like Louis XI's, of Swiss mercenaries & have power, to way.

p. 114

State

Sovereign, (ty)

Government

Separation

Myths

Hobbes
Supreme over all other institutions.
Organic.

Just one, with inviolable power. All laws exist only as spoken by him. People must uphold him, as he is thy. Elected kings not sov, but instruments of sov. Not a party to contract. Stronger sov. may replace any times thru force.

Monarchy, aristocracy, & democracy
vs
tyranny, oligarchy & anarchy. Later 3 only in minds of malcontents.
No distinction twixt state & gov.

No separation

The whole thing is one. Opposed to J. I. "abdication" myth.

Locke
object is to preserve property.

Limited by natural rights. To give set rules of relations.

Gov. the exec. body formed by the state. (implicit) It is laws to increase liberty.

(state & gov.)
Leg., exec.

Exec.'s prerogative is within limits. If leg. goes hog wild, he is to save the people, & vice versa.

A legitimate sov. based on prop. & cons. Deserves no superior. It is no good. A joint stock co. - not organic.

Paternal origin disapproved, as children grow up. Do not get a king. No superior. It is no good. A joint stock co. - not organic.

Rousseau.

Not organic, has no will separate from its individuals. Nearly organic. Ideal size. Cannot last long.

Spoken thru general will, not will of all, nor rep. ass. Absolutism of people subbed for that of king. Limited sov. Pop. sov.

Inalienable. Has power of life & death - in general, not particular cases.

Gov. will a gen. thing. State formed, & it forms gov. Gov. will fallible. National, God-given. Justice needs writing down. The public is state governed by laws. Liberty & equality the objects. Laws should be in accord with nature. Fundamental political laws. Gov. an intermediary twixt people & sov. Kings bad. Mixed govts. Gov. under which we propose best.

No separation. This is tantamount to alienation. But leg. & exec. should be different guys.

Religion is one - as wise men who shape gen. will cannot be understood. It should not be so used.

Religion

Hobbes - Divine right is hokey.
Weak church.

Not

Locke

Rousseau

Soc. shal fix
articles of faith, & make
everyone profess them.

Contract

Fear of death inspires it.
Promise extorted by force must
be kept. All give up ~~the~~ laws to
2nd party. Those who vote
is. It's obliged anyway. C. is
irrevocable. Based on force of
majority. Only rational criters allowed.

2 of 'em - by implication

Not irrevocable. Majority
rules (implicit) Individuals
can get out. Only rational
criters. - & aggressors are classed
as irrational. Promise extorted by
force need not be kept.
One to form society or community.
more or less irrevocable. Another to form
gov. - not so irrevocable.

Get back civil for nat. lib. -
but not abjectly as in Hobbes.
only 1. Pop. sov.
Compact made when death threatens.
Laws must treat all - ly so no one will
oppress (himself) Put selves under
general will, so majority rules. A
compact with one's self - as citizen & as sovereign.
gov. class.

Human nature

Deceitful. Anti-social.
only fear & pride make them keep
word.

Social.

No reason
till ~~the~~ state of
nature is left.
People must be good
before laws will help
them. Talks Gods, not
men, to make them
work.

Bounds of Soc. power.

Necessary lib. left to
subjects. Soc. has
complete liberty no one
else has.

To give some set rule
to live by, no more. Cannot
take like nor prop. Maj. rules
minority

Give up natural
liberties, get back
civil liberties. State
can change gov. any
time, as long as no contract.
Much ind. freedom, I'll
de fined, like Locke.
Controls only what it needs
to. Identical with subjects'
interests.

Broken if soc. becomes master, or if

Private Property

Hobbes - By contract only, sanctified.
Sovereign decides who shall own what,
for his own reasons.

Locke - A natural right, thru labor. Sovereign
power cannot touch it.

Rousseau

Comes with state. Held from state.
No more than one needs. Title thru labor.

Book IV

Adeimantus - The guardians will be unhappy.

Soc. - They will be happy, according to my sense of values. Besides, the good of the whole is more important. If a man tries to leave his status, he is pretending to be what he is not.

Wealth & poverty both make men degenerate. State doled sojers, of moderate means, the best. Plunder of other states his purpose. (Confusion of individuals amassing wealth & a state being well-armed) State may grow to "limit of unity". Guardians not an hereditary class, but chosen each generation. (By whom?) Women to be held in common. No innovations to be allowed, in music, as they would lead to innovations in other things. Legislation about small matters unnecessary - they will care for themselves. High character of citizens essential, to be achieved thru education. Religion left to Apollo.

Justice -
mind your
own business.

Where, now, is justice? Assume this state is perfect, i.e. just. (wise, temperate, valiant). The guardians must be wise, the warriors valiant, (in being able to hold fast to the laws, despite passions) the state as a whole temperate (because, as in the temperate man, the good part rules the bad).

Abstract valour, & temperance, & wisdom from the state, & what remains is justice. This is everyone's minding his own business, not taking what is not his. A cobbler's aspiring to be king means he does what he is unsuited for, this is bad for state, is unjust.

Now look for justice in individual.

(reason)

Animal desires sometimes at variance with higher ones. Anger sides with reason against ~~passion~~ desire, so passion is different

(Passion)

??

"natural"
→
"law"

from desire. Also from reason. So of the 3 principles that exist in the state exist in the individual. Individual justice means reason, aided by passion, ruling desire (achieved thru education in music & gymnastics). Such a person is valiant, wise, temperate, & just. Prevalt against "natural" states is injustice & "every form of vice".

Book V

Ad. - Not satisfied with wives in common.

Soc. - As bitches help tend sheep, women should be like men, & get musical & gymnastic training. But their natures are different, $\therefore$ should not their work be? Their natures differ only in sex, not in abilities (false). Women are on the whole inferior, but they should still be guardians, warriors, & workers, ap're's their natures.

Guardians shall have wives in common. Plubers shall decide who & how many shall marry. Abortion & infanticide for "illegitimates". Is this good? Disunity is evil, & arises from private property. Common property means common interests, & unity. Unknown children means one big happy family. They will be happier than those who hold private property.

All the better things of life to the warriors.

No Hellenes to be taken as slaves. Hellenic territory not to

cf. Opprobrium be ravished, only exploited.

Glaucon - Granted this is ok, is it possible?

Soc. - justice a standard which cannot be perfectly attained.

ughh →

If my city is impossible, it is none the worse for it. An approximation is enough; this is, let philosophers be kings.

Lovers love all love, drinkers love all alcohol, philosophers love all wisdom. Ph. love the vision of truth, not sweet music.

Being, intermediate, not being: knowledge, opinion, ignorance. Relative things, like the beauty of some objects or justice of some persons, are subjects of opinion. Only the seer of prototypes has true knowledge (bull)

1. Aristotle objects to Plato's Communism on 3 broad grounds.

1). The proper limits are not defined. Aristotle asserts that Plato does not clearly say whether only the guardians and warriors, or everyone, ^{or he} ~~is~~ to be Communized. This is not a good criticism - Plato, by not mentioning the workers in his scheme of education for Communism, & I believe, by some direct statements that they may enjoy private property, definitely limits the Communism.

2) Unity, which Plato says is his end, he does not prove desirable. ~~As the~~ state approaches unity, it approaches the individual, Aristotle says.

3) Common property and common wives are not the best way to achieve unity; ^{any way} says Aristotle. The disputes arising over who should own what will cause great disunity, and nepotism will still be attempted, made possible by family resemblances. Not a good argument, tho a good one could be made along this line.

2. a) ^{Democracy - rule of many}
~~Oligarchy~~ ^{Aristocracy} - rule of a few, select
Monarchy - rule of one

Revolution, bringing
Ochlocracy - mob rule (or Anarchy)
Oligarchy - rule of a few
Tyranny - rule of one, popularly supported.

b. Plato preferred aristocracy, for he thought that the best minds could rule the state best.

3. ~~Plato~~ ^{No} Plato was ^{not} an absolutist, according to Prof. Elliott's definition. He did not believe that the rulers should go to nothing but their will for

guidance, but should be ruled by certain understood
laws of conduct, & were merely the agents for putting
these into effect (like "Enlightened Despot" & "Natural Law",
according to the physiocrats). Of course, this would
mean absolutism in fact - or always has in
history. (Plato's
forms of
gov.)

● Plato: A Philosophical Approach to the Study of Government

The utopian, or archtypal method. He disregards human nature, Bacon deplotes. But Ell. thinks this is what should be. Reactions - we have 'em, but have about some actions, too.

He sees world of "reality" which the senses can perceive but imperfectly. Such a state as his will never exist, he admits. At Plato's time, Athens is corrupt & Sparta ascends, & he wishes to copy her.

Human nature. 1) Appetite or feeling 2) Spirit or courage 3) Reason. Plato's 3 classes of society represent these 3 sides of human nature. ~~the~~ Most civilized peoples have been so organized. Plato had a class system, not a caste system. In Sparta, limitation on property, & redistribution of badly administered property. Plato observes that ruling class always degenerates (whether one, few, or many), because it becomes concerned with self interest, rather than public interest. Communists, Fascists, Nazis, all followed Plato's organization.

Athens produced the Golden Age of Pericles & her freedom.

But the problem such a state ^(organismic) cannot solve is that it squelches individual freedom & initiative, & forces the whim of the the grandiam on the others.

Plato's state is not imperialistic.

" " has moral side, unlike Nazi.

Nov. 1, Oct. 3

Prof.

B. F. Wright, "The Greek City-state & Plato"

Western political thought starts in Greece. Same is true of art, lit., & science. In Athens, for very short time. Plato the 1st great political thinker. - many modern thinkers Pl.'s stooges.

Athens pop. 350,000, once. Close knit racially & culturally. Slaves, many state-owned.

Their theory of state - ethical rather than "legal". Theory of pure politics, the Greeks'. None such in middle ages, when church-state relation had spoiled ^{But Greek} _{church and state.}

No discussion of individual rights - organic theory held sway, state has all power it can use. Difference in point of view in sending reps. - object "education" (to mold citizens to state's will) rather than representation.

"The Republic" is about morality, or justice. A dialogue. Then discussion transitions from justice in individual to justice in the state.

Elements in state 1) Ec. 2) Spirit - war & defense 3) Wisdom - guidance, philosophy. These he assumes.

Classes in state 1) Producers (physical) 2) Warriors 3) Philosopher-kings

Where is justice in this? 4 cardinal virtues, 1) wisdom, 2) courage, 3) temperance, & 4) justice. 1 in 3, 2 in 2, 3 in 1 (meaning acceptance of status) 4 in the whole thing, acceptance & carrying out of status by all.

Old Greek idea of justice - returning to each his due. Soc. uses bad logic to disprove, replaces def. with his own lousy one. He thinks his idea of justice is good.

His theory of education - reflects education of masses. Training them for state's purposes. At 20, warriors are separated from rulers. At 50, kings are ready. He says this is not progressive, because it is perfect - BULL. State.

1. Justice
2. Educ.
3. Communism

Then Plato defends Communism. Lower classes hold private property, but not upper 2. If they have no private prop., kids, & wives, they will do right by state. Their happiness is the well being of the state. (Similar to Sparta)

Republic is influential, not because it's practical, but because of its concept of justice.

will live well, be happy. This is profitable.
But we have yet to define justice.

Book II

Glaucon - Some good things we prize for themselves, others for themselves & their consequences, others for just their consequences. Justice is in (3)

Soc. - it is in (2)

Justice (3) Glaucon - To do injustice is good, to suffer it evil, justice a mean twist ~~between~~ the two. Man is just only on compulsion, to avoid being slugged himself. Man who seems just but is unjust fares better than his opposite.

Adeimantus - They'll get their reward in heaven, some say. But the Gods can be bribed & fooled, with the power gained from injustice.

Soc. - City is bunch of trading producers, all benefiting. Trade with other cities, too. Hired laborers, too, then city is "perfect". As it adds people it needs more land, it goes to war. Soldiering is a craft, like shoe-making - we shall have professional soldiers. (p. 55)

Book III (from p. 97)

Guardians must be statistes. ("We must so select them") Must be able to hold to their ideas, thru 3 difficulties. Test them. Call them auxiliaries to rulers. Convince them that their training was all a dream, that guardians may be born of artisans & vice versa. Educate auxiliaries nobly so they will not oppress the people let them not hold private property.

The great lie, concerning gold, silver, & iron & brass.

Myth?

Book IX

The tyrannical man. Desires - lower ones revealed in sleep. Man who is ruled by such is a tyrannical man. He runs thru his money, robs his parents. He is ruled by Love. He becomes a lawbreaker. When enough accumulate, they seize gov. Either fanning or bossing, they are friendless. They are faithless. The least happy of men. Their cities are unhappy & bad.

A city ruled by tyrants is a slave city, ruled by its worst elements. A tyrannical man has a slave soul, ... A slave city is weak - i.e. a tyrannical man is weak. Similarly, poor, fearful. But he is not most miserable of men, ~~as in persi~~. The tyrant who is forced to tyrannize in public is most miserable of men. If alone with his servants, they would kill him. He cannot travel freely in the streets. His vices increase, his desires are never satisfied. He is the worst of bringers & toadies.

False analogy

rulers seek to aid, not themselves, but the ruled. ~~For~~
~~which they get wages.~~

Thras. - Shepherd tends sheep so make wages, & to that end does right by sheep.

Justice is disadvantageous to the doer, injustice (i.e. refusing to obey rulers) is ~~dis~~advantageous. In partnership e.g., & in state-paying, in office-holding. Justice is to advantage of stronger, but injustice advantageous to individuals. (In sense that he uses the words, this is partly true)

p. 22 Soc. - Shepherds are more interested in their flocks, and rulers rule, not for the pleasure, but for the money. Every craftsman uses the "art of wages" as well as his craft - & money comes, not from craft, but from art of wages! Rulers prescribe what will benefit subjects, to get wages. (As tho it were a free contract)

But more important - the just man's life is more advantageous.

Thras - Injustice is a virtue, justice almost a vice.

Soc. - Just man seeks to "outdo" unjust, but not just.

Unjust man seeks to outdo both.

Man is good as he is wise, bad as unwise. Wise will outdo unwise, but not wise. Unwise will ~~try to~~ outdo both.

∴ Unjust man resembles unwise.

Justice is stronger than injustice, because (1) it works with wisdom, & (2) just men can work together. If justice makes a group strong, it makes an individual strong (bull)

p. 31

Is justice a happy way of life? Function of a thing is that for which it is best fitted. Its capacity ^{has corresponding} ~~is~~ virtues, deprived of which they cannot function.

The soul's function is life. Without virtue it would control life badly. Justice is a virtue of the soul, ∴ just man

Reading notes, Gov. I - Plato, The Republic
Using logic to define a word, pure bull.

Book I

Polemarchus - we are stronger, you must obey

Socrates - I can convince you otherwise.

Euthyphrus - Old age has different aspects from youth, but the well governed nature will enjoy both. Riches do not affect enjoyment of life, so as the good man can pay his debts and is ready for heaven.

Justice (1)

Soc. - Is justice simply payment of debts? (i.e., - do madman?)

Pol. - To enemies one should pay evil. (metaphorical use of "one"), as that which is appropriate.

Soc. - Clears up confusion, using bull (p. 7). A wise man is a better partner than a just man. Justice only applies to useless things. Because a man can guard money well (be just) he can also steal it well, & is a clever thief. (Bull)

Distinction between those who seem to be enemies or friends, & those who are. Then doing evil to seeming enemies is wrong. (Bull, p. 9-10)

Pol. - redefine friend as one who really is trustworthy.

Soc. - harming enemies makes them worse, & a just man should not make people worse. i.e., 1st definition of justice (Simonides') is wrong.

Justice (2)
p. 12

Thrasymachus - Justice is that which is advantageous to the stronger. (Obviously he means "in human dealings")

Soc. - Must we like fish because Joe Lewis does?

Thras. - Govs are the stronger than the governed. Their laws are called "justice"

Soc. - Rulers make mistakes. Th. says "it is just to obey rulers". Their mistakes are disadvantageous to them.

It is, then just to be disadvantageous to rulers.

Thras. - Refuses to change def. of justice to what ruler thinks is advantageous.

Ruler is not a ruler at time of making mistake.

Soc. - As Medicine seeks to aid, not medicine, but the body, so

Stephens, 13 Holgate Oct. 7

euphemasia

Read the introduction.

Sabine's Hist of Pol. Theory.

At Plato's time, Peloponnesian wars went on, Golden Age of Pericles just over, he admired Sparta.

W W W W W
I bring up point that there can be no logic in a def, & Stephens dodges it.

Plato says "state is individual writ large."

Socrates thought truth could be found by anyone, searching. Plato thought only a few could find truth.

His aristocracy a fluid one. St. thinks this is ideal. Plato, like Marx, had no blueprints.

4 virtues.

Word "guardian" is used ambiguously - sometimes ph. kings, sometimes p. kings & soldiers.

For test, pick out the significant things.

Oct. 9.

Written report on ^{Cobbam} ~~Robinson~~ Dictatorship
Learn to compare Plato & Aristotle. His belief in women as = a new thing.

Myth

Education - need not be true, but just character building.

Virtues - in city. In individual.

If reason, spirit, & appetite are inharmonious, in individual, he is ~~just~~ unjust - same for city.

He admits that even upper class will degenerate.

1). Aristocracy of intelligence. The true philosopher loves truth.

2) Timocracy - love of honor & ambition.

- 3) Oligarchy - a few, ruling for financial gain.
- 4) Democracy - people overthrow oligarchs.
- 5) Anarchy
- 6) Tyranny

Even hereditary gov. is provisional, & may be stopped at any time. Monarchs will try to extend power. Periodical assemblies will check him. (Learn about N.E. term meetings) Even compact may be broken - certainly by all, maybe by one.

Book IV

1) That the General Will is indestructible.

When people is "simple", general will is will of all. Later, when subtleties arise, disputes come. When state decays, Gen. Will is just as strong as ever - but not expressed.

2) Voting

Unanimity in purity, or in extreme corruption & servitude. Disputes in transition. Only Social Compact needs unanimous consent. Slave's son is not a slave. If I object to majority, I am mistaken.

8) Civil Religion

State & church identified, will Jesus separate them.

Church must be, as Hobbes said, subordinate to state.

(Can Stalin concede religion? article, plenty good, fine illustration) A.C. church bad, being a second loyalty, 2nd. good, being statist - but bad, being founded on lies (Plato's myth) Were men perfect Christians, society unnecessary. Xians make bad sojourns (true Xians, i.e.) Xianity made Rome fall. Citizens must profess religion to community, because it matters to community that they should be religious. Sovereign should fix the articles of faith. Intolerance is right.

Wynke Martin
Dowd

is one man. The most efficient kind of gov., but maybe efficient for wrong things. Republicans appoint good men to office, Kings put in panders. Succession always difficult. (To those who suggest socializing milk wagons to save money - elections are a terrific "waste" of effort. Bernier pt. of view - much more efficient to have a dictator - but would you be willing to risk it?) Monarchist will have no consistent policy. There makes good men bad, & remedy gets good men to begin with. Overthrow bad kings

p. 67

7) Mixed gov.s

King must have exec. subordinates, Republic must have head. 2 bodies of mutual dependence, as Eng., or mutual independence, as Poland. Simple gov. may be both very weak & very strong, mixed gov. always of mean strength.

8) All forms of gov. do not suit all countries

Not all people can handle liberty. State can exist only when public produces surplus, to support parasites. Amount of surplus important to type of state. Disposal of revenues by state important to people. Free state produces, monarchy just sucks. Barbarism for wastes, polity for temperate zones, tyranny for tropics. People in hot countries need less food, & get it easier, & more. So hot countries also need inhabitants less, there being less work to do & less need of efficiency, so if you have double surplus. Thick pop.s defy tyranny - bull.

9) Marks of good gov.

(Cliche - "I talk of human rights, not property rights" - but who owns property? As usual, someone has taken a perfectly legitimate idea & worded it in such a way that it means more than the legitimate idea does. - and the word-mistake lives on!!) Gov. under which people prosper is best

10) Abuse of gov., & its tendency to degenerate

Gov. acts as, sovereignty. (bureaucratic agglomeration) Degeneration thru contraction, (concentration of power)

Dissolution of State thru 1) prince's usurping, thereby breaching compact. 2) Gov. takes too much power. Right to revolt.

Def. of various terms, p. 77.

11) Death of body politic

No gov. will ever live forever, or even long. Leg. is heart of body, ^{Exec.} ~~body~~ is brain. - when leg. stops, life stops; - when exec. stops, constructive life stops.

12) How sovereign authority maintains itself.

It must act as General will. All must must together, as at Rome.

regis

13) The Same (cont.)

Must be assemblies, regularly. Not too big a state.

14) Same

Superiority of ass. over sovereign & gov.

15) Deputies or rep.s (who sometimes intervene twist exec. & ass.)

When people give money instead of service, state falls. - (p. 82). Prepares Locke's fallacy that money causes degeneration. Rep.s called 3rd Estate (!!!). But Sovereignty, being inalienable, cannot be represented. ~~Slavery~~ ~~Deputies~~ usurp power. In Greece, slaves did work, so men had time for public affairs, - we should have slavery, to save ~~freedom~~ freedom (!!!) Mild climate of Greece gave them time to be democratic - (contradicts ch. 8) Only small state can preserve freedom.

16) Institution of Government is not contract.

Only one contract - that of association. Sovereign has absolute, unchecked power (contradict.)

17) The Institution of gov.

Act is bifold - est. of law, & its execution. Sov. declares there shall be gov - this is a law (inconsistent) Then people elect men to fill the positions - this is execution. But how can sovereignty commit a particular act? It just does.

18) How to Check usurpations of gov.

Gov. officers are people's servants, may be removed.

Ch. 6 - Law

S. C. gives body politic life; legislation gives it movement & will. Justice is God given & rational, but it needs writing down. General will cannot be directed to a particular object. - i. e., majority cannot force things on minority it will not take itself. Law is an act of Gen. Will. Law can say there will be privileges (incons.), but not say who gets them. So, i. e., all make laws, principles subject to them, they cannot be unjust. Republic - state governed by laws, whatever its form. Will needs a shaper, a legislator

7) The legislator

Lawgiver (what the hell!!!) & exec. should not be same guy. Good lawmaking beyond human power. Wise men cannot be understood by most, so lawgiving difficult, often imposed by tricks, like religion.

8) The people

They must be good before good laws will help in any. Liberty may be gained, but never recovered. Russia had civ. imposed from above by Peter, who failed. Tartars will soon conquer Russia & all Europe

9) People (cont.)

There is an ideal size for a state. Too big - gov. machinery fails (only when gov. is important) All states should be about same size & strength, to prevent agglomeration.

10) People (cont.)

Relation of no. of people to land should be so it is all used & no one is without. No offensive or defensive wars then necessary. People who have never known bad law most receptive to good law.

11) Systems of legislation.

Liberty & equality the objects of all systems of leg. Not absolute equality, but approximate equality. Circumstances go against equality, so legislation should go for it (hell - only legislation is for inequality) Laws should be in accordance with "natural relations" to be sound - hell.

12) The division of the laws

(People can always change laws.) Political or fundamental laws, civil laws, criminal laws, & public opinion.

BOOK III

- Different forms of gov.

1) Gov. in general

Will & physical ability cause action. Will is leg, force is exec. powers. Leg. belongs to people. Gov. is an intermediary ~~with~~ people & Sovereign - it tells him their will, & does his bidding. Not formed by contract, just by commission. The larger the state, the less each vote counts, the less the liberty. All should have enough force to hold wrongdoers in place. State exists by itself, gov. only thru Sovereign. Sov. only expresses General will, when he does not, body politic is dissolved (right of rev. - take that, kings, Locke similar)

2) The constituent principle in the various forms of gov.

Difference between gov. & its principle, like that ~~that~~ state & sovereign. The more magistrates, the weaker the gov. Swills in mag. - private princely, & public, & he considers them in that order, taking the more concentrated good first. One man gov. the most active.

3) Division of gov's.

Number of sovereigns determines. Heri's choice made? More citizens magistrates than private individuals, democracy. vice versa aristocracy. Monarchy. Small states dem., big ones monarchy, medium arist.

4) Democracy

leg. & exec. should be divided. Democracy never can be - requires gods, not men. Small state approaches closest to it

5) Aristocracy

Natural, effective, hereditary. Elective the only good one. (a rep. gov. is what he means) (Rewrite P&P, in entirely different words, & with many new thoughts, but make it readable)

6) Monarchy

When "prince", "repository" is the state of the exec. power

Rousseau: The Social Contract

Book I

1st few pages worth rereading. Taking man as they are, & laws as they might be, can there be a good gov. Justice & utility to be united. Free state the best.

Ch. 1 - Subject of the 1st book

Man is in chains. Is this legitimate? It is contrary to nature, ~~is~~ is based on convention.

Ch. 2 - The 1st societies.

Family the only natural society. Voluntary opposed to natural. Pol. societies "modeled on" family. Slaves not naturally so, but forced into it.

3) Might of the strongest.

Make people think they should obey you, only thus can you be strongest. But yielding to force is not a duty.

4) Slavery

Only conventions put man over man, not nature. Kings a bad bargain - their wars worse than the civil strife they rescued us from. Only madman gives himself up freely. & a man cannot alienate his kids, anyway. One way contracts no good. War no justification of slavery. War a relation of state to state - soldiers are not enemies. Conqueror, having no right to kill conquered who resign, has no right to enslave them by Grotius' reasoning. Slave is at war with master, should kill him.

5) That we must always go back to a 1st convention.

How do people become a people? How does majority will bind minority?

6) The Social compact

When death threatens all, they associate. Problem - how? All give up all rights, without reserve. All being in it equally, no one wants to oppress (himself) Put selves under general will.

7) The Sovereign

Man has compacted with himself - as citizen & as sovereign. His interest as each is the same. If he does not think so, General

8) The Civil State

a) Real property

Book II

General Will & personal will different.

2) Sovereignty indivisible.

3) Is General Will Fallible?

7) Limits of ser. power

2 nature, for all its risks.

How can man give sovereign the right to his life, when he has no such right himself? - he is risking it in order to save it. If prince wants him to die for good of all, he should die. - e.g., criminal. But this is a particular act - $\therefore$ the sovereign cannot do it, he can only confer right to do it. Few crimes, some in decaying states.

Stephens Nov. 6

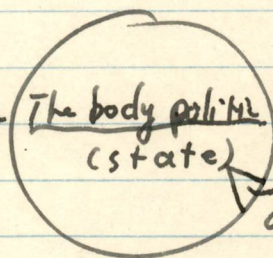
Rousseau's sovereignty is just as absolute (more absolute?) as Hobbes', but to a different end. Locke lies between the two, on most points. - liberty, state of nature

Man is in chains because he made material progress, & started struggling for things. Self-interest & pity prevail in state of nature. - no reason, which is product of civilized life.

I. Gives all rights

II Receives them back, but

as a relation between him & all others



Ind. gives up all natural rights.

individual owns, as = & inalienable portion of sovereignty,

He says in one place you surrender all rights, in another you do not. You give natural liberties, get back civil liberties.

In Hobbes, once you've created it you've lost all.

Law - General Will on paper. Is it a particular thing? No - a general thing. This approaches fundamental, or constitutional law. Sovereignty is absolute and all. - its limits - once state is formed, it forms the gov - but only one contract, since forming gov. is a particular act.

Right of revolution - any time, state can change gov., as there is no contract.

No faith in rep. bodies - Gen. Will best expressed in Ass. of all. Small city state the best.

Legislator shapes, but does not make, general will.

Gives us idea of pop. sov. Difference betw. gov. & state. His individuals have much liberty.

Gov. 1 - Oct. 1 - 1st meeting

Books on reserve
in Widener reading room &
Horse libraries

Holyoke 9, Monday - 9-1, 3-5, or
any P.M., 2:30-4:30, to appeal for change
of section.

Plato due Wed or Thurs, top, 97

Popular misconceptions of gov. 1.

Section men & lecturers are of many different
opinions no forcing of opinions. (Est-ce vrai?)

Prof. Friedrich

Hints.

- 1) Importance of section meetings. Be
active. Battle your section man. (I wonder?)
- 2) Notes. Suit yourself, but Fried. thinks one
should take few, so one can listen to lecture
more carefully.
- 3) Correlation of gov. with other social
sciences. All are sciences of man &
society, & essentially one.
- 4) Plato & Aristotle are tough. Remember they
are translated, & colored thereby. - e.g.,
word *polis*, sometimes translated as
state, commonwealth, city, etc. Also,
"polis" includes state church. / Greeks make
different assumptions than we do - e.g., women
& slaves are not persons, not citizens, Aristotle,
e.g., "justified" slavery at length.

Now I know.
Nov. 9, '42.

Elliott, Nov. 3
Have exam next Tuesday.

Linking lectures & reading, need to think, write essay.
Compare & contrast. e.g. Private Property ^{Plato} ^{Arist.} ^{Locke} ^{Hobbs}
What Greek institutions influenced Plato? a probable
question - wow!. Outline answer before writing. Summarize
at end. Focus on the point of the question.

~~Rousseau~~ 1st, summary of last lecture. Cleavages
in political theory run more along Stoic vs. Sophist
lines than any other. Locke Stoic - viewed Nature as a
reasonable affair. Hobbes - Nature hostile to man, & Sophist.
Followers of Hobbes, Machiavelli, & absolutists, have all been
organismists. Liberals excluded state almost entirely
(once!). Individuals will, the state has no separate will,
as Rousseau said. 2 aspects to organic theory 1) Organism
must forcefully "expand or perish", struggle for existence.
"L'état c'est moi" possible thus. Organism embodied in
single man 2) State embodied in a person, (not an
organism) who is moral, & subject to other laws
(divine or natural). (1) is subject to nothing.

Plato is (2)
Locke - state is neither person nor organism, but a
joint-stock co. - put something in, get something out
But gov. might get organic, if you do not reserve
right of revolution, & separate powers.

Rousseau believes, mainly, in organism. Also, General
will (person), but leans more to organism. Volonté
générale is arbitrary - it "forces men to be free" - in
absolutist tradition, but subs absolutism of people ~~rather~~
for abs. of king. General will to be expressed by
definite rules, which he said definitely. Pl. both rationalist
side & ~~more~~ romantic. Easy to show a fool, but it's better
to try & understand why he was so important. Elliott's

generation was debunking one. Fr. rev. not founded on Rousseau so much. Constituent Ass., theory that sovereignty of people is represented in legislature - this contra Rousseau. Fr. Ass. doomed because it could not be dissolved by exec., & was full of clashing parties, & could not be re-elected at minister's will. Plato's myth is of metals, & is his method of making people accept. Original sin. similarly a myth. "The strongest is never strong enough to remain always master unless he transforms force into law, & obedience into duty" - ~~Plato~~ ^{Rousseau} i.e., you must establish tyranny over men's minds.

"General will" is not just the will of all. General will can only be formed by asking yourself the right question - what is general good, rather than just my good.

War Time, ex. of General Will - ~~the~~ people have general purpose, for which they sacrifice themselves. Public interest over private interest. (But private interest is, if properly pursued, public interest) - me. Rousseau wanted to put away pressure groups, (privilege seekers), & have people vote on other issues. Elliott falls for usual "ec. self interest is false philosophy" bull, as opposed only to "eliminating private property".

he should not, but this is unethical. Premises extorted by force need not be kept. (very good. Whether future service, or present, like giving over purse, is demanded by force, the principle is the same.) (Locke's idea of property, Ch. II, is not linked to labor theory of value, as Elliott said, but to title thru labor, a different thing) (Maybe Elliott's seeming perspicuity of last Tues.'s lecture concerning difference between land & labor products was just quoting Locke.) "Conqueror has no right to land" - this ruins his thesis of property.

p. 214

Read up on Henry VIII's monastic confisc., & other land title originals.

Ch. XVII - of usurpation

A kind of domestic conquest. People should resist

ch. XVIII of tyranny

Find ball on inclosure movement.

Usurp is the wrong person taking a power someone should have. Tyranny is taking power no one should have. - i.e., rule for personal benefit. Where law ends, tyranny begins. Why are crimes of rich & mighty not considered criminal, like those of poor & weak? One who threatens your life may be killed - one who threatens only property, not. If gov. subdued by force, it is not right, but what to do? Muddle thru.

Ch. XIX of the dissolution of gov.

Distinguish society & gov. Conqueror may scatter gov., or civil discord do it. Exec.'s meddling with power is a change of the leg., & he is responsible for dissolution of gov. Or exec.'s not doing work. Then people can make a new gov. Rulers are at war with the people. The tyrant is the one who is rebelling. Will this doctrine cause wars? Well, the fault is the usurper's, not his who minds his own business. Peace not as nice as justice. Eloquent plea for popular sovereignty. Self defense is law of nature, even divine right addicts say, & also that king who is not king, thru injustice, may be resisted. People will be judge of

elegant?

Double
Contact
idea

whether or not king behaves right. Power which individuals
give up can never revert to them, ~~but~~ as long as
society lasts, but remains in community. If leg.
misbehaves, community power can resist it, change it.

Ch. XI Of the extent of the legislative power.

It is determined by the contract, & cannot then be changed (but it is, very inconsistent) (cannot have power over life or property. Must conform to law of Nature, which says that life & property are sacred. Legislature's laws must be written & made known, not extempore. Their duty, then, is just to decide what is, write down, & enforce, the law of Nature (which is still undefined), which heretofore existed only in men's minds. Absolute power not right, for men left state of nature to get something better, not worse. Leg. cannot confiscate. Absolute power is not arbitrary because it is absolute - it is absolute in order to get certain things done. ("absolute" here used not as Elliott said) By free consent, men support gov. out of their property - majority can make minority pay. (inconsistent) Leg. cannot pass on its power to another.

Ch. XII The legislative, executive, & federative power of the commonwealth.

Try AindgeTech. again. Leg. need not meet always. To keep them from becoming an interest separate from the community, leg. & exec. should be separated. Also federative power, foreign relations, be separated, in thought, tho be handled by the executive.

Ch. XIII Of the subordination of the powers of the commonwealth.

Leg. is supreme power. But even it can be changed by will of majority. (inconsistent with ch. XI) Leg. may meet when it pleases, not when it is told by exec. Should exec. use force (which he controls, evidently) to stop leg., people are at war with him. (Maybe Eng.'s system of having election when a big issue challenges exec. is responsible for the less corruption they have than we) Where shift of pop. has given power to elect leg. to few, & many wish to change it, but cannot because they do not control leg., then *salus populi suprema lex*. & exec. should un-gerrymander things, by prerogative, which may be used for the good of the people (but who decides what that is?) (let each rep.'s vote have influence in

prop. to number who voted for him, seems to me the only way to do this right. Is this prop. rep.? If so, I'm for it.)

Chap. XIV - of Prerogative

Leg. cannot foresee all details, so within limits exec. is free. If exercise of prer. is dubious, next election may decide, & prer. more limited by law. So a good exec. is, in history, allowed

Write report
for job.

Ch. XV

Of paternal, political, & despotic power, considered together. (The thought common to Hobbes & Locke: man has liberties in nature, which he gives up to society. Hobbes expresses it better) An aggressor is classed with beasts, & as he shows no reason, & he may, i.e. be enslaved, or what he success he / defender wishes (ok - but not his children) (But then in summing up he says "Despotism is over those with no property at all", a very different thing)

Ray Johnson
Fraser
Bonthall
etc.

Ch. XVI of Conquest

Welter of wars, in history, so many think gov.s are established by conquest, but they are not. (They certainly are. He is confusing what is, & what should be) Those with that power, but with right, can appeal to Heaven (he makes a good deal of this. Cf. Hobbes idea that sovereign can be iniquitous, but not unjust, & must not be resisted) Conqueror in just war has no power over his helpers, but all over his conquerors. Only leaders of defeated thus blamed, as others had no power to tell them to wage unjust war, so it must have been themselves. (Who decides if it was a "just war" or not?) Only damage sustained gives conqueror right to victim's estate, which otherwise goes to his kids, who are free. ~~But if conquest~~ 5 years or so ravishing is not worth the land, however, so conqueror cannot claim land in just retribution. (at 5% i.r., 20 years ravishing = land value) Money is not "Natural", so stealing it is no offense (bull - it is perfectly logical, useful, medium of exchange). Conqueror will take children, the

govern men, as they are / at men. Law is direction of they intelligent agent to his proper interest. Useless laws will vanish of themselves, as Holmes character, who kept reviving & enforcing dead letter laws, illustration. Law is only for good of people. Object of law to preserve & enlarge freedom, not restrict it (not good word use, like Hobbes. A rather illogically metaphorical, like mother) A man is at age of discretion when he can decide when to be bound by law of nature, when to be free (bull!) No, he means, "decide what to do freely, within the bounds of that law - whether natural or civil. Those who cannot understand, means etc., cannot be treated as equals, & are under parental authority. Thus we are born potentially free as potentially rational. So Filmer is disproved. (Stronger disproof - father nourishes child, but paternal king is nourished by subjects) Parental authority ends with age of discretion. Father's power to dispose of estate. In ~~the~~ wild state, ~~monarchical~~ family naturally turned to father as head, & kingship evolved from this (bull) But he was priest, too, so Filmer's argument must include that (& it might, too - oh, Locke, why did you bring in this awful ending!?)

Write Master & Gordon - potential Georgists. Martin, too.

Look for 2nd hand copy of Gardiner

Stop at Barnes'.

Chap. VII - Of political or civil society

Man naturally seeks society. Family 1st, & man must stick around. Master to servant is but a temporary, free contract, arrangement. Slave ~~in nature~~, taken in a "just war", one not part of society, as they can own no property, & object of society is to preserve property. Civil society is when men give up law enforcement, against infringement of "their property" over to ~~the~~ community (i.e., when ownership stops being based on force, he thinks "natural law", but rather on force applied thru state, or preferably contract) (Preservation of property nice, but he forgot to look well into acquisition original of property - he makes a feeble attempt, but pen!) He gives up to commonwealth the right to call on his force to enforce commonwealth's decisions. - origin of executive & ~~judicial~~ legislative. Monarchy is not civil society, for in c.s. every man must be judicably & not

Who owns Anticosti island - owner gov.?

What wonderful speeches I can make with this material!!!! on J.Z. White lines, only better.

Only law of nature is instg'd w/ p.e. & deductions from it.

* Which is in infringement of law of nature

Locke forer quoting one "Hooker" Eccel. Pol.
Ecclesiastical Polity

his own judge, as in Nature. But monarch is his own judge, so is still in state of Nature. Absolute power makes men worse, not better, & history proves it (cf. Jefferson). King will only keep subjects well as it will make them better slaves. King being in Nature still, any subject can punish him.

Chap. VIII Beginning of political societies. p. 164

All parties to contract do not approve every action of Leviathan so majority rules. Objections 1) Not a historical fact 2) Men are born under gov., & are not at liberty to leave it. To 1) Hist. it is not recorded that far back. Paternal origin not sovereignty not historical fact. - 1st monarchs are elective. (He contradicts himself) To 2) How, then, come "lawful" monarchies? Through just such breaking away from previous ones. Also, consent of each new man is necessary. If origin of gov. were paternal, there would be but one in the world, under Adam's successor. Father cannot bind son by contract, except that son must accept strings attached to things he may inherit. - which makes it look as tho he inherited pa's obligations, but he

An aspect of
George princ-
iple

don't → Any one owning land has given tacit consent to the gov. over it. A foreigner owning English land, it is under jurisdiction of foreign monarch. No, wait a bit. Man owning free land (of which there ain't none), by joining Eng. social contract, makes land English. That is much better. Man landholder may join any other commonwealth. (Tenant, then, owes no allegiance to gov., very good. p. 178)

Ch. IX Of the ends of political society & government.

Liberty of nature is nice, but life, liberty, & property are insecure, so society is nicer. In nature known law is lacking (his "Natural law", then, is something unknown - right? cf. Hobbes, who was good on this), because Natural Law is not studied enough (bull - Locke does not know himself what it is, cf. Ch. 2) Known judge, & power behind him, also lacking. If state fails to preserve life, lib., & prop., it is failing & deserves no support.

Ch. X Of the forms of a commonwealth.

The usual - sovereign power may be given to many or few or 1, in many different ways.

Locke, John: Of Civil Government

Book I - Patriarcha of Filmer refuted.

Book II - An essay concerning the true original, the extent, & end of civil government.

Chap. I.

Patriarchalism of the Adam disproved in last chap. Political power, def. - right to make laws, with death penalty.

Chap. II - Of the State of Nature. One of perfect Freedom, bounded only by "law of nature" (what's that?) * All equal (in power, he means, I think.) Liberty, not licence. - cannot kill self, or kill others or take their possessions (Hobbes better here. What determines that a man possesses something?) All God's children, only He has right to destroy. (Unlike Hobbes, Locke uses many undefined words, & assumes impossibles) Every man should enforce law personally. (Should home-land, or land one is in, tell man laws? - interesting anomaly) Same animal-not-able-to-keep-contract idea appears, as in Hobbes - o.k. lie on thee, Zathos) Every offence should be punished to the extent that will make it a bad bargain for the offender. State of nature inconvenient not because law has not been decided on (tho this is the real reason) but because a man will not judge himself. - civil gov. open to this same defect. (good quote, p. 123) Does "State of Nature" ever exist? Yes, I assume it, he says.

Chap III - Of the state of war. One may kill anyone or thing not rational. War maker not rational, may be opposed. ~~Man's~~ Man's conscience, which is answerable only to God, must be final arbiter of morals.

Chap. IV - Of Slavery. ^{Freedom} in Nature ~~Man~~ is to have no boss but natural law. Freedom in "society" (bad choice of word) is to have standing rule to live by (good), rather than changing will of some man. (But who should make this rule, & what should it be?) Slavery comes only thru "lawful conquest." A man cannot sell himself.

Chap. V - Of Property: world given to all in Common. But man must have exclusive right to a deer before he can eat it. (he has

* By "law of nature", Locke means what is "reasonable, just" - but what is?

is J. Z. White
suggested a
mind as George
thinks, with
what letter in
the Freeman?

ambiguity

Aug. '42,
Fortune,
p. 103, on
patents

Nat. incom
figures. Aug.
'42 Fortune,
p. 75
p. 68, what's
wrong with
the navy.

Matogrosso

p. 141

def of "land" rights, at least). Products of labor exclusive
private prop. (not if large element of ec. rent is in them, which should be
shared) Commons cannot be used until enclosed. 1st act of labor in
picking up nuts makes them mine (but not the tree, J. L.) (or is acc. to
fisherman's, J. L.) (Apparently this makes property ok, tho he says so
more about it.) Man can take no more than he can use (ok - clear
up). What applies to deer applies to land (in common sense of word), & this
is ok because no one is harmed thereby, when there is plenty left.
(~~At this~~ To him, "common" & "uncultivated" are synonymous, as they
are to many timid George stands) So necessity of inclosure to cultivate
makes prop. ok. As no one ever took more than he needed, all was
ok (war!) There is still much more land than we need. (Take
that, Malthus) Invention of money brought inclosure (bullshit),
which is responsible for seeming lack of land. Land was
never inclosed till late 18th & 19th c., valuing things for their
power of commanding wealth rather than because they
were wealth, came around (bull - it was always here) Value of
"land" is due to labor applied on it (faulty definition) $\frac{99}{100}$ of what
is useful to us is product of labor, not land - (bull - a 50/50
proposition, both essential) e.g., natural fertility of America
greater than Eng., but ~~more~~ more wealth in Eng. (live wires will
always get into institution, or create an institution, so that they
will benefit - e.g., Gen. bankers get Sp. gold) Man's right to
himself means right to labor products (H. G., did you borrow?) Tithe
based at first on industry now has been sanctified by commons, &
twist nations & men (bull - all based on force) Before money,
exploitation was useless, for one could not hoard (this true only
after a ~~certain~~ very advanced point. One can consume almost
limitlessly) so there was none (bull - there was)

Chapt. 6 - of Paternal Power

Mother has power, too, so consider parental power, & Fillmore's
analogy is invalid. Children not born in full equality, but to it.
Parents under obligation, by law of nature (bull) to raise kids. Children
before they can reason, not under law of reason, which is to

Elliot, Oct. 27

Roman law, identification of its gentium & its naturalis. - this gave Roman law its emphasis on individual rights. Fascist thought returns to organic theory of state, against which western world has been fighting. Plato not fascist, has higher ideal than state. Mach., in Prussian, has sophist, anti-Christ, anti-Stoic, view of human nature.

Write N. about Dr.

1 Social contract theory, Eng. exponents Locke & Hobbes. They illustrate sophist-storic contrast. Gruel's thought of nature as "brutal necessity"; tooth & claw, survival of fittests.

inimical to moral sense. (Hedonists believed pain & pleasure ~~to~~ determined human action.) Hobbes says origin of society, & state, is in unpleasantness of nature (& he's right). Men band together, form social contract. Hobbes object is to justify the state, & obedience to it. (Every Fascist has to create myth why one should obey.) There is equality, he says, in state of nature. Security necessary. H. set out to justify absolutism - but not interested in divine right. Like Mach, purely amoral. Ability to kill makes all men equal. Fear leads to social contract. So they yield all rights to sovereign, save right of self-preservation.

Contract is irrevocable. State of nature then goes over into law of nature, something entirely different. Law is that once compact is made, you must keep it, a moral idea, inconsistent with other idea of nature. If tougher sovereign throws out 'legal' one, he just inherits compact. Cromwell inherited Charles I, e.g. Any kind of absolutism ok. Picks facts, as Locke did, selectively, to fit theory. Hobbes repudiation of moralism, hit contemporaries, who, tired of theology, wanted new basis for society. The compact theory is individualistic. Individual consent.

Read
on Mayflower
Compact, its
relation to social
contract.

Read Sir
Henry Maine,
Ancient Law

Locke. Goes from state of nature to one of civil society. Natural rights - life, liberty, & property. 1st labor theory of value, going down to Marx. But not all forms of property had labor in them - Locke missed this, as did Marx. Enclosure movement & Colonial Companies. Col. co. like Locke's, ideal state - put in so much, take out so much. Locke an apology for squirearchy. Thinks in terms of everyone's owning land, like Jefferson. In other words, assumes common property in land. Men revolt for inequality as well as equality (i.e., natural inequality). Social contract theory is an effort to justify state's power. Majority principle must be limited in scope - not in religion, e.g. In Eng., restrictions on majority are only unwritten.

Stephens, Oct. 29

Hobbes

Mandating

Natural law - ^{rule} ~~then~~ discovered by reason forbidding things
vs. self ^{preservation} ~~interest~~ (i.e., mtdg du + pe)

Permissive

Natural right - self preservation, liberty to care for it.

W. Right makes war. N. law makes men establish state & sovereign.

Weak link → Once this done, will of sovereign is only law. Then, law of nature is binding only thru the will of the sovereign.

Freedom - absence of any impediment to do what one ~~wants~~ wills to do. Fear is consistent with liberty - you can do it anyway, & suffer consequences. True liberties of subject (things subject may do vs. sovereign's will) are things implicit in social contract itself. 1) Defend self against attack 2) Not incriminate self 3) Not fight. In civil society, there can be no liberty unrestrained by law - subject can have liberty within those realms (ok so far) designated by (still ok) sovereign (ugh!). But if sovereign decides to kill you when he should not, it is inequity, not injustice. (Austinian view - there is no law unless it has supreme political power - no international, or natural law) (Laski - pluralism, idea that other organizations are as important as state) (Erastian - church should be controlled by state, be an integral part of it)

Know how to contrast Locke, Hobbes, Rousseau on nature, liberty, sovereignty, etc.

Locke influenced by Puffendorf & Grotius.

Locke is defending aristocracy of England. As each man will interpret "natural law" differently, state of nature will be difficult. He distinguishes, unlike Hobbes, between state & government. Men form Commonwealth, or state, and form government to enforce their will. He does not make this distinction ^{explicitly} clearly, but implicitly. Nothing of

absolute in this. "Natural rights" limit sovereign, just as in state of nature.

Implicit - rule by majority. Because it is necessary, & because it is implied in contract. Is it a historical fact? We do not know, he says. Some join expressly, others tacitly. latter can move out, former cannot.

Not binding, like Hobbes.

Locke suggested executive power, and legislative power (whose job is just to interpret natural law) Also federative branch, foreign relations. But he is not the father of separation of powers.

Short test coming, review.

Every time I ask a difficult question, he does not get it, & puts me off, saying he'll answer it later, etc. When not bothered by objections, however, he's good.

Stephens, Oct. 28

After this course,
go over notes, pick
out all good ideas,
for own work.

Quizzes show lack of careful reading - there is no
substitute for it.

Keep comparisons & contrasts of writers in mind.

Lindsay's intro. to Hobbes is good. Erratic mathematician.

Saw no place for history - game definitions & deductions. 2 kinds
of reaction to life, sensual - either a like or an admission.

Happiness depends on continual getting what you want. Tranquillity
impossible. Power the means of attaining these desires.

1.) The State of nature - perpetual war. 3 reasons for
war. No justice or injustice, because no law, no
agreement. There can be no private property. Example
of American Indians - dubious.

2.) Natural law & right. terms bandied back & forth
for centuries. He distinguished them clearly. Natural
right is only for self-preservation. Natural law -
a precept, mandatory, based on reason, forbid you to do
things that will work against your preservation. By
law he must give up certain things to gain other
things. Law of nature leads to perpetual state of war.

Try P.B.H.
house work. (?)

Fear dominates, in nature. Confusion. Analogy
between this & present international war, to be ended by
police power.

Call Hoffmann?

3.) Leviathan - people, by compact, surrender their rights,
in exchange for security. Power given to ^{Leviathan} someone,
who is the whole show - other institutions are
nothing. No distinction. (as Locke makes) twixt State &
Government. You as individual make no contract with him -
he is not a party to the contract. Individuals contract
with each other to give power to Leviathan. Character-
istics - an absolutist. He is law of nature & divine
law rolled together. - no contractor, he is free from
everything. Liberty - absence of external impediments,
in nature. Leviathan can not be held for even killing you.

You are as he is free from contract. You may ^{not even} resist being
discontent killed, altho it is your natural right. He suggests that
because you this may break down some time - Confusion, St. stays.
are not

doing anything
but absorb

knowledge

Only solution -
learn college

Hobbes,

(3)

(origin of landlordism was like this). Sovereign can give away subjects, & they must go. (Is there a difference between present day despotism striving for power, & old time? Is he really guiltless, or were they really innocent?)

Read Beard, &
Foreign Policy for
the U.S..

~~Procter~~
Find ~~Paul~~
Write Anna

tch, very bad) Sovereignty thus is from the people.
 Parents right: Subjects cannot break covenant. King acts by their authority,
 parents have no absolute right to children - they cannot make them slaves, or covenant away their future rights (as pro-
 fligate lovers of small landholdings do)

Subjects cannot break covenant. King acts by their authority, they must uphold him. (He has assumed that they covenanted forever, & in the way he says - but they did not need to) Can make no covenant with God, to break that with king, for only thru bishop can man reach God. Sovereign is not party to contract, so he cannot be repudiated on grounds of "abdication" (like Tony myth about James II) (This spiritual unity of men that Zalkes talks about is unnecessary & his proof is no good [for some men delight in cruelty, having been brought up that way]) Material advantage is sufficient explanation of society. Covenant really is based on force of majority anyway - men would not keep it unless forced to. Minority must obey majority, because by entering into assembly of covenant, they agreed to obey majority (not true - men bind themselves on earth, that's all) Subject is author of sovereign's works, & so cannot complain vs. them, as a man can do himself no wrong. Sovereign censors. He determines who shall own what. All powers, he lists them, are sovereign's. Commander of army has sovereign power, really, always, tho he must keep all others, too, or he'll lose this one. (The truth being, that line wins will get control of everything, the military or the tax-collectors, or viceversa, depending on which is the liest (& unscrupulouset, etc.,) wire) (If there is intoleration, and privilege, then there must truly be one sovereign to prevent war, as Hobbes says. But if there is freedom, & no privilege, then this is not necessary). Sovereigns will, for their own glory, try to keep subjects vigorous (true, & that is why many have fallen)

Ch. 19. Of the several kinds of Commonwealth by institution, & of the succession to the sovereign power.

3 kinds, depending on in whom the sovereign power is placed. Monarchy, aristocracy, & democracy. When disliked

Analogy. tapeworm in stomach, & land lord. The more you eat, the more he, not you, is nourished.

Gov. flux called tyranny, oligarchy, anarchy. - P. 172
Spotswood of separation of powers, for then person might be fighting himself.
Va., Bayard's King, not P., is people's rep. The monarch, bearing public identity,
Friend (cf. also bears himself, & his private good will mean more to him than the
Foerster) re- public - so the 2 should be identified (& when ruler is a landholder,
vealed by this is, aside from public rent collection, done) Monarch is
Turner (Index) strong with strong people & citizens; but aristocracy & demagogues
as large land- private interest may be different from public. King can have
holder of best councillors (cf. Mach.), unlike assemblies. No civil strife. Monarch
new grants may unjustly move property, but so can others (& as no rightful
(corruption) basis of property has been agreed on, sufferers cannot object to his
Va. iom imp- action, & indeed, inspection of their claims, will often reveal an
arist, & injustice, so they, too, are hated) (Fremont-Smith's changing sense of
anti-democr- values crap related here - where no rightful basis of property is decided
are force. on, it's grab & get. Respect for justly got wealth, rather
Good for class. than just wealth, is good. - but where justice is not decided
among men, how can anything be unjust?) Elected kings are
In P & P, we not sovereigns, but instruments of the sovereign (i.e., the people - a
start with glimmering of truth) If monarch may appoint successor, he is sovereign, other
materialism, wise not. Artificial man must have artificial eternal life, thru succession.
because only No problem of succession in a democracy - (no limitation on electorate's one
thru understand- life.) Succession by express word of sovereign or, lacking that,
ing it can be custom, which he must have acquiesced to.
apply our Chap. 21 - of the liberty of subjects.
ideology, which Stricks by old definition. Liberty & necessity - i.e., to get food.
must work thru Artificial man, man once attached to him by artificial chains. - & it is
material channels. not difficult, but dangerous, to break them. Many liberties left to
subjects, as it is impossible to regulate everything. No injustice done
when sovereign kills subject, only iniquity, which is a sin against
God alone. Liberty which merits praise is that of sovereign,
not subject. Extent of subject's liberty - not to kill self, nor
lead to ~~anything~~ being killed, but not to resist sovereign's killing
him, to refuse to go to war & risk death, (if he buys a s.t.)
Obedience to sov. absolved if he has not the power to protect them.

Hobbes, Thomas: Leviathan

Intro. To Mr. Fromci's Godolphin, bro. of Sidney. 1651

First Part: - of man
Nature can make an ~~artificial~~ animal, as can man. A watch, e.g., has artificial life, by Art. Art imitates man by creating state, an artificial man. Man is deceitful.

Ch. 13 - Of the Natural Condition of Mankind as concerning their felicity & misery.

Men are nearly equal - in that all can kill each other. Also = in prudence. Man's conservation depends on his mastering his neighbors. Some go further than security requires - others must be allowed to, too, for self-preservation. Men do not like to associate, unless served to by some. 1) Competition (for land) 2) Diffidence, 3) Glory, cause quarrels. So incessant wars. or Safety Robbing, etc., not sins until some law be made against them, some modes vivendi determined. (very good) They must agree on the person to make it. (very bad) Nothing can be unjust, for nothing has been agreed. Fear of Death inclines men to peace, as does wish to produce wealth. Reason suggests articles of peace be drawn up - these are the laws of nature.

Ch. 14.

Of the 1st & 2nd Natural Laws, and of Contracts

Called objectionable in manner of expressing thoughts - he does not let you put in your slants, is overbearing, & by allowing no other interpretation than his own, is wrong.

Its nature ^{right of nature} is each man's liberty to preserve his life. Liberty is absence of external impediments. Lex naturalis, natural law is rule, discovered by reason which forbids a man to do anything leading to destruction of his life. Distinction between the 2. In nature, each has right to everything, even another's body. So 1st law is to seek peace, ~~and~~ to defend selves by all means. 2nd law is to be willing to give up right to all things, ~~if~~ if others will do likewise. Golden rule. Giving up absolute liberty. Right can be given up broadcast, or to someone in particular - in either case, he is obliged not to ask it back. He always renounces a right for another in

Law of nature
this is just
that man will
seek to gratify
+ dwindle.
(not pure
Hobbes, above)

return. Right to life he cannot give up, even if he says so. Mutual transfer of rights is contract. Covenant, & free gift. transfer of rights where one is presents one only. promised. Contract with beasts impossible - they cannot understand & accept. (Zaltes presented this as his own idea - tech tech) Contract with God impossible. Covenants made void only by perfermanne or forgiveness. Covenants extended thru force must be observed. The 1st of 2 covenants is valid, the other not. Covenant not to defend myself by force is void. Men will not keep their word, save for 1) Fear of consequence of breaking it 2) pride in appearing not to need to break it. Fear the stronger motive. Of spirits & of men. Oath to God adds nothing to an obligation, as it is sacred to him anyway. End. Chapter.

Ch. 17.

Second Part - of commonwealth.

Of the causes, generation, & definition of a commonwealth.

(In the light cast on the floor, you can see the shadow of rising notes revealing connection. But looking right into the sun, you cannot see this.) Fear of war, etc., makes men enter commonwealth, which (& he assumes this) must consist of a power to awe men into keeping covenants. Few men, organized together, stronger than mass of who quarrel (cf. Plato on justice) Security, then, is not thru numbers, unless they be under one leader. Why cannot men, like hymenoptera, live together by instinct? They are not made that way. (Assumptions implicit trip up those "great" philosophers - so never make sense - always figure everything out) ("Natural" is as opposed to "artificial" or "by Art," or by the rational powers of man - & so has a more definite meaning than just "what is" - cf. Zaltes, who's wrong) Men compact with each other to give up rights to one man, not a party to the compact. Thus the Leviathan, or mortal God, is generated (or Commonwealth) He is Sovereign, with Sovereign power, others are subjects. Commonwealths by institution (compact) and acquisition (force). (a dodge - the latter is historical, & indefensible)

Ch. 18 - Of the rights of sovereigns by institution.

Those that "vote against it" are bound to Leviathan just as those who voted for it (non-contractors obliged - tech

Stephens, Nov. 4

Keep in mind contrasts of L., H., & R. Do not make categorical statements alone, but give reasons.

In criticizing Cobden, criticize, bring in Locke & others etc.

State of nature - Hobbes - brutish. Remedy - give all power to one ~~absolute~~ sovereign. Natural right - to preserve life, permissive. Natural law - forbidden to do that which was bad for you. State supreme over all other institutions. Natural right alone remains to individual - natural law is now spoken only thru sovereign, & divine & international law, too.

Preligion - Hobbes - he had not much use for it. Stuarts disliked him - they believed in divine right, he in contract. Bodin - divine law supreme.

Kinds of Government. 3 corrupt forms, which Plato & Aristotle talk about, exist only in minds of discontents.

State of Nature - Locke - confusion, & honest difference of opinion about interpretation. Number of contracts - 2 (by implication, never said). Constitutional government - exec. & leg. separated, but do not overwork this. Natural right to property, & ∴ life, liberty.

Rousseau - a queer, frustrated, character.

All wills merged by general agreement to form ~~general will~~ all wills. General will is will that is common ~~to~~ to all individuals.

A X C Q M G

B M D A Z X

F M O P S T

3 individuals' wills - M is general will.

But if 2 agree, one does not, the one is "mistaken" - now.

HARVARD UNIVERSITY

NOVEMBER 10, 1942

GOVERNMENT I

(*Twenty-five minutes*)

Write on either (a) or (b)

1. (a) "Rousseau's *Social Contract* owes more to the political theories of Hobbes than to those of any other previous theorist." To what extent is this statement true?

- (b) How did Plato and Aristotle plan to limit the possibilities of conflict between the rich and the poor?

(*Twenty-five minutes*)

2. In what ways did Locke propose to limit government?

Hour Examination.