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FACULTY OF SOCIAL SCIENCES
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Master's Thesis

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**Self-interested individuals and social order
in liberal thought**

Master's thesis

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Study programme: International Economics and Political Studies

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Year of the defence: 2022

Declaration

1. I hereby declare that I have compiled this thesis using the listed literature and resources only.
2. I hereby declare that my thesis has not been used to gain any other academic title.
3. I fully agree to my work being used for study and scientific purposes.

In Prague on 27 July, 2022

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Abstract :

Liberalism is one of the most prevailing political thoughts in modern society. It is often mentioned in connection with other social systems such as democracy and market economy. But what exactly are the main characteristics of liberalism? How has liberal thought developed in modern society? The main concern in this thesis is to describe the characters of modern liberal thought from the perspective of social contract theory and of some liberal thinkers who emphasize the self-interested (or rational) individuals. Social contract theory is the hypothetical equipment for thinking about individuality (basic feature of modernity) and social order. The purpose of the first part of the thesis is to describe how self-interested individuals agree with the establishment of a sovereign. At another part, by mentioning some liberal thinkers, I will discuss the possible spectrum of the rules of government in liberal thought. The spectrum could be explained as the result of different assumption of self-interested individuals and of legitimacy in society. In the whole thesis, I will focus on two elements in society: particularity and generality. Particularity means particular interests (self-interested behavior) of individuals and generality means general interests (publicness). In comparison of particularity and generality, I will describe the basic idea of liberal thought and seek the possibility of liberalism.

Keywords : liberalism, modernity, self-interest, natural laws, social contract theory, utilitarianism, particularity, generality

Institute of Political Studies
Master thesis proposal



Master Thesis Proposal

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Proposed Topic:

How Liberalism makes order in a society

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5 Keywords: Liberalism, Social Contract theory, Constitution, Political culture, Responsibility

Topic characteristics / Research Question(s):

My thesis will focus on the following general research question: How liberalism (or more concretely, liberal individuals) can make order in a society. I want to focus on the interaction between individuals and society. And in the end, I hope to think about liberty (freedom) and responsibility too of both sides (individual and society). I think that individuals need to take the responsibility of their actions as a reasonable existence, On the other hand, society also needs to take the responsibility for each member of society because society exists as the result of gathering of all individuals including non-reasonable people. My point here is related to how to deal with the existence of certain plurality as a society and to what kinds of society can be inclusive to all individuals in a society.

To consider the above question, I will think about it from the systematic perspective of governance such as the rule of constitution, from the perspective of generality of government, and from the perspective of political culture such as positive attendance of individuals.

Working hypotheses:

1. Social contract theory is important to think about the process of building government (making order) in the context of liberalism.
2. Constitution is a necessary part to protect individuals from the abuse of power and to reflect the consensus of all members in a society on the whole body of government.
3. Political culture (such as positive attendance by individuals or positive use of their liberty) is important to maintain liberal order as being liberal.
4. The basic principle of liberalism is tolerance.

Methodology:

For the all hypotheses, I will critically analyze classic theorists and other classic works in order to introduce the key concepts or assumptions in liberalism.

Outline:

1. Introduction
2. Historical background of liberalism (Individualism, Rationalism...)
3. Liberalism's approaches to building order in a society
 - a) Social contract theory (Especially focus on Lock)
 - b) Constitution. Its established process and its meaning
 - c) Other mechanisms that Liberalism could take to control power ('The Federalists' ...)
4. Issue of generality (publicity) of government in liberalism
 - a) Why generality of government is important for a society? (Political culture of liberalism)
 - b) Rousseau's idea of general will
 - c) Rawls approach to set the veil of ignorance and to introduce the social justice
5. To enrich society with liberal approach.
 - a) Two concepts of liberty (Focus on Berlin's discussion and Mill's work)
 - b) Importance of positive liberty (Referring to 'Escape from Freedom'...)
 - c) As the principle of tolerance. Future development.
6. Conclusion
7. References / Bibliography

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Introduction

Liberalism as one of modern political philosophies

Liberalism is one of the most mentioned political ideologies in the contemporary society. Especially, since the end of the Cold War, liberalism has often been articulated in the speeches by politicians and it is often mentioned in connection with democracy and market economy or with various political and economic positions.¹ Also, in the flow of globalization, the model of both regimes has gained more positive attention. And the politicians who insist on the validity of liberalism often consider themselves on the right side of history.² The emphasis on individual rights looks suitable to a modern society, just as free trade policies which are economically explained as the most efficient way of maximizing wealth are desirable to a society. But what exactly are the main characters of liberalism? How has it been understood in history? And how could the relationship between self-interested individuals and a society be treated in liberal thought as one of the modern political philosophies?

¹ Rotunda, Ronald D. 1986. *The politics of language: Liberalism as word and symbol*. Chapman University. p.13. Accessed July 25, 2022. <https://core.ac.uk/download/pdf/215735517.pdf>.

² Sandel, Michael J. 2020. *The tyranny of merit: what's become of the common good?*. New York: Farrar, Straus and Giroux. p 54.

The word 'liberal' was already used in ancient Greece. At that time, to be liberal was equal to showing devotion to the common good as a free citizen. It was considered as one of the virtues of a free man just as the Latin word *liber* directly meant being free and being generous.³ It was directly connected to the ideal of the *res publica* and to the ideal virtue of citizen. In the Middle Ages, this word was understood with the concept of love for others in the religious context. After the era of religious reforms, this word has been understood in the political position which shows tolerance of diversity of religion in society. In the Enlightenment era, the principle of tolerance was emphasized by the liberal side from the perspective of rationality which all modern enlightened individuals are supposed to have. Around this time, those who identified themselves liberal began to ask for political and social reforms even though the word 'liberalism' was not clearly mentioned as one of political ideologies. However, today's concept of liberalism which is used academically or in the politicians' speech has much wider content. One of the purposes of the thesis is to find the elements which connect the ancient or medieval concept of liberal thought with the modern and contemporary concept of liberalism.

In the book *Why liberalism failed*, Deneen criticizes liberalism from four perspectives: politics and government, economics, education, and science

³ Rosenblatt, Helena. 2018. *The Lost History of Liberalism : From Ancient Rome to the Twenty-First Century*. Princeton: Princeton University Press. p. 9. Accessed July 10, 2022. ProQuest Ebook Central.

and technology.⁴ He explains that liberalism has its weakness in itself and that liberalism's success fosters the conditions of its failure. As the characters of contemporary liberalism, he mentions individualistic aspects related to the pursuit of particular interests and emphasizes the image of limited government which does not violate individuals' liberty. Here, he criticizes this point in the context of people's isolation and excessive promotion of atomization of individuals in society.⁵ And also, he points out the modernity of liberal thought which tries to go beyond the concept of time, place etc. Such characters of modernity might ignore or decrease the value of community.⁶ And he connects this issue of modernity with the social contract theory which has contributed to develop liberal thought.⁷ Deneen describes liberalism (and its basic structure) with such characteristics as below:

Liberalism was launched with the claim that it would “take men as they are,” grounding a new politics upon a clear-signed realism about human nature. Yet its claims about humans “as they are” were premised upon the fiction of radically autonomous humans in a State of Nature. The political, social, and economic order shaped around this disfigured view of human nature succeeded in

⁴ Deneen, Patrick J. 2018. *Why Liberalism Failed*. New Haven: Yale University Press. Accessed July 10, 2022. ProQuest Ebook Central. p.6.

⁵ *Ibid.*, pp.59 - 62.

⁶ Parekh, Bhikhu. 1992. “The Cultural Paritcularity of Liberal Democracy.” *Political Studies* 40 (August): 160-75. doi:10.1111/j.1467-9248.1992.tb01829.x. p. 169.

⁷ Deneen, Patrick J. 2018. *Why Liberalism Failed*. New Haven: Yale University Press. Accessed July 10, 2022. ProQuest Ebook Central. p.66.

remarking people in this image, but the project had the predictable effect of liberating them from the reality of relational life.⁸

These comments (or criticisms) on liberalism are reasonable to some extent. Liberal thought has developed with such versions of modernity. Social contract theory provides some types of individualistic approaches related to establishment of society. Assumptions related to the state of nature and related to image of separated individuals could be explanatory to individualistic characters of liberal thought. But, at the same time, when we focus only on this aspect of social contract theory, it could be misleading. It could ignore the idea of natural laws or of rationality which should be inevitably taken into consideration when I mention the historical context of liberal tradition. For example, the influence of Locke or of Hume is significantly important when I discuss liberal thought. Therefore, when liberalism is characterized from the perspective of modernity or in the context of social contract theory, the criticism still has much space to get reviewed.

The main purpose of this thesis is to explore the deliberations about social order in liberal thought to understand liberalism better. In order to do that, I will take social contract theories as the important theoretical experiment related to modernity and make a review of liberal thought (utilitarian approach and rightness approach). Through the analysis and

⁸ Deneen, Patrick J. 2018. *Why Liberalism Failed*. New Haven: Yale University Press. Accessed July 10, 2022. ProQuest Ebook Central. p.188.

the comparison of the above two subjects, I would like to describe the relation between self-interested individuals (as the important element of modernity) and social order in liberal thought. And I am sure that understanding the relation will lead to a refined description of other aspects of liberalism which could go beyond the criticisms of contemporary liberalism and thereby counter the contemporary “crisis of liberalism“.

1. Liberalism and the issue of particularity

One of the most remarkable features of modern political philosophy is the assumption of self-interested and independent individuals. Liberalism has developed with such assumption too. In this section, I will discuss the relationship between the image of self-interested individuals and the establishment of social order. The understanding of this relation helps to capture several important features of liberalism. For the discussion, I will focus on two types of particularity in a society: the social contract theories (especially Hobbes and Hume) and on the utilitarian approach (especially Mises and Mill). It is because Hobbes is the remarkable figure who introduces the image of self-interested atomistic individuals and the image of modern society consisted of such individuals. Hume stands with the ‘liberal’ image of human being and contributes to describe how such people agree with the establishment of political institutions. Mises introduces how the collection of utility (or of consequence (‘as it is’) of

the behavior of self-interested individuals) becomes the standard of political and moral judgement. Mill places emphasis more on the liberal aspect of individuals in his assumption. He mentions the ability of sympathy with others and explain the concepts of harm principle and of general happiness.

Social contract theory is the thought experiment of observing the social transition from the state of nature to the civil state. It is related to the question of how to establish social order or political institution among separated individuals. And it is the attempt to understand the first contract among individuals. Hobbes is often counted as the first political thinker who advocated this type of social contract theory. The revolutionary points of his theoretical assumption are related to the image of individuals. He imagined individuals as the selfish and egoistic creatures and insisted that society could be established among such individuals as the result of their urge to escape from fear. His understanding on the nature of human being brought the sensational impact on the debate of political philosophy at that time because the image of human nature was more idealized in the medieval and enlightenment era. At the early stage of the development of liberal thought, the image of individuals was not similar to the one advocated by Hobbes.

The philosophers who understood the nature of human being social and non-egoistic were considered as the significant figures at the early stage

of liberalism⁹. For example, in Hume's social contract theory, the foundation of human society is based on morality which arises from mutual regard and sympathy as a part of self-interest. As another example, Adam Smith also had the similar assumption as to the image of human nature and to the social order.¹⁰ Therefore, Hobbes's views on human nature and on the social organization are a bit different from the tradition of liberal thought. However, Hobbes's assumption provides the very realistic approach on the understanding more complicated modern society where it is not easy to reach the consent among various self-interested people.

Mises develops his theory with the image of self-interested individuals and of promoting social cooperation in the context of division of labor in modern society. The merits of his theory are to show how the collection of utility becomes the standard of political and moral judgement as I already mentioned above. His emphasis on self-interested behavior is the key point of why I talk about Mises here. It is because his acceptance of non-rational behavior of individuals and his explanation of forming social mechanism based on such behaviors are theoretically overlapped with the approach of Hobbes. By mentioning the theory of Mises, I could explain one stream of contemporary liberalism which is a bit different from liberal tradition since 18th and 19th centuries. As another example of liberal thinkers, I will mention J.S. Mill. His idea is based on the image of

⁹ McCann, Charles. 2004. *Individualism and the Social Order: The Social Element in Liberal Thought*. Boca Raton, FL: Routledge. pp. 2-3.

¹⁰Ibid., p.4

innately sympathetic and benevolent individuals. His way of explaining how utilitarian calculation could provide the criterion of morality in society is built on the image of such individuals. Here, I would like to make comparison of how differently the concept of utility is treated for setting the standard of judgement in society between Mises and Mill.

This is the reason why I will mention Hobbes, Hume, Mises and Mill in the following sections. In the following four sections, the issue of particularity is the main argument. Here, particularity is defined as particular interests which all individuals have for their own and as the behaviors of such individuals. And the related issues are about how such individuals need to establish a society and how a society provides the basic rules which would limit individuals' behavior.

1-1. Self-interest and social order (On human nature)

1-1-1. Hobbes and his concept of 'absolute sovereignty'

Hobbes's remarkableness in the history of political philosophies is his negative view of human nature. Because of the cynical view, his idea was not accepted by most of the philosophers at that time. His idea was not consistent with the tradition related to human nature in political philosophy and with the image of humanity in Christian thought and with

the image based on natural laws which has been developed since the 17th century.¹¹ Philosophers including the Scottish moral school who did contribute to the establishment of liberal thought did not agree with his idea of human nature. They criticized Hobbes's idea based on psychological egoism of human nature. However, while Hobbes was exposed to the harsh criticism, such egoistic image of individuals makes his approach very unique and irreplaceable.

Hobbes tried to understand society by atomizing various elements. He starts his discussion by introducing the concept of 'the state of nature'. In the state of nature, there would not exist any political institutions or shared moral sense among separated individuals. It is the situation where any authorities do not exist above each individual. Individuals follow only their self-interested psychological impulse and behave without any amicable attention to others in the state of nature. The first contract to establish a sovereign would be consented under such state of nature. In the state of nature, the feeling of fear and the aspiration for survival work as the most fundamental triggers to decide the behavior of human beings. Individuals literally do whatever they can do in order to secure their lives. And, at the same time, all individuals are constantly exposed to such intention of others (to the risk to be attacked or harmed by others for their own survival). Under this situation, all individuals are the potential enemies of each other. There is no space for other feelings such as

¹¹ Parkin, Jon. 2007. "The reception of Hobbes's Leviathan" in *The Cambridge Companion to Hobbes's Leviathan*. Cambridge. Cambridge University Press. pp.446-447.

benevolence or sympathy with others. Hobbes denies the image of human beings as social animal and insists that fear is the only force to naturally decide people's behavior.¹² Here, social contract as the first promise in Hobbes's theory is created under this assumption. It is to bring order (the authority does exist above each individual) among self-interested individuals not to harm each other. And the ultimate purpose of the established sovereignty is to secure the lives of all individuals.

The reason why social contract in Hobbes's theory is considered to validly force all people to obey its contract is hidden in his theoretical assumption. In order to create the first contract, each individual needs to be sure of all other individuals' decision on agreement with the contract and obeying it. Otherwise, the risk of being attacked by others would not be removed theoretically. Under this assumption, all individuals need to be sure of all other individuals' future behaviors. The point of reciprocity in Hobbes's theory is based on future performance of other citizens.¹³ The rule of government is to completely remove uncertainty of future performance. And it is the logic of justifying the intervention by government with certain behaviors of individuals. This completeness of obedience by individuals is the reason of calling Hobbes's concept as absolute sovereign. And because for the character of limiting future performance, individuals have no space to resist and no rights to disobey

¹² Smith, George H. 2017. *Self-interest and social order in classical liberalism: the essays of George H. Smith*. Washington, District of Columbia: Cato Institute. p. 41.

¹³Ibid., p. 46.

sovereign once it is established. Here, the will of sovereignty is the fundamental rules of a society.

This is the basic idea of Hobbes's social contract theory. What I would like to emphasize from his approach is the logical explanation regarding how self-interested individuals could gather together and could build a society. He describes the separated image of individuals from society and tries to purely think how they agree with it by ignoring of the existing social order on purpose. And also, the image of absolute sovereign is linked to the limited rules of political institutions which allow people to protect their maximum freedom and to make sure of the preservation of their particularity. It is because the absoluteness of sovereign is only applied to the issue of security. Other issues of individuals are not the subject of governmental function.

Hobbes focuses on particularity in a pre-social situation (the state of nature). Starting the discussion with it, he focuses on how to make the ultimate particular interest (security for life) of each individual protected in a society. And the main purpose of building sovereign is the preservation of particularity. The absoluteness of sovereign is required to ensure the preservation. The important feature of Hobbes's theory is that the establishment of sovereign is the result of voluntary act of the particular and the rule of sovereign is to secure particularity of the particular (ultimately it is security of life). Here, reciprocity or social

cooperation is based on the relation among the particular. Particular wills of each individual create a society and a society is directed to the security of particularity.

1-1-2. Hume and his concept of ‘artificial institution’

Hume criticizes the social contract theory because it is the thought experiment and it is actually difficult to find social contracts in the histories of actual governments.¹⁴ And he insists that the duty of allegiance is not based on the obligation of promises (social contracts) but on the understanding of the common good and on the people’s moral sentiments (a mechanism of sympathy) of self-interested calculation.¹⁵ But even though Hume himself denies the validity of social contract theory, I will mention him as one of the important figures of contract theory. It is because I can find some contractive elements in his approach especially in the regard of meta-ethics in society. As the necessary conditions of establishing meta-ethics, he emphasizes the rule of implied (tacit) consent (according to reason, history, experience).¹⁶ For Hume, a matter of fact (historical background), experiences, people’s moral sentiment in such state of nature which is full of tacit consent contribute

¹⁴ Brownsey, P.F. 1978, “Hume and the Social Contract.” *The Philosophical Quarterly*. Oxford, Oxford journals. Oxford University Press. p.133, Accessed July 24, 2022. <https://www.jstor.org/table/2219359>.

¹⁵ Ibid., p.141,142.

¹⁶ Hume, David. 1748. *OF THE ORIGINAL CONTRACT*. p.4. Accessed July 22, 2022. <https://rintintin.colorado.edu/~vancecd/phil215/Hume.pdf>.

to establishment of meta-ethics in society. Those elements create rights and obligations and provide a government the right to rule.¹⁷

The difference between Hobbes and Hume exists between their basic assumptions. While Hobbes thinks that all individuals fight for their survival with using reason and never feel sympathy with others in the state of nature, Hume starts his discussion from the space where individuals have reason in Hobbes's meaning but also where further moral duties are dominant. In other words, while Hobbes does not accept any inter-human relationship before the very first contract which binds all members in a society, Hume imagines sympathetic and intimate inter-human relationship with others before the full commitment to the contract in order to establish political institutions. For Hume, the principles of human mind such as sentiment and reason are the given conditions even in the state of nature (I call it as *the convention* in this thesis for making clear the difference from the state of nature of Hobbes). This difference becomes clear when I think about the two concepts of moral duties advocated by Hume. The first one is impelled by a natural instinct and the second one is performed from the sense of obligation of human society.¹⁸ "Love of children, gratitude to benefactors, pity to the unfortunate" are included in the first one.¹⁹ Other elements which support human society to bring more benefits beyond necessity are counted in the second one.

¹⁷ Brownsey, P.F. 1978, "Hume and the Social Contract." *The Philosophical Quarterly*. Oxford, Oxford journals. Oxford University Press. p.148, Accessed July 24, 2022. <https://www.jstor.org/table/2219359>.

¹⁸ Hume, David. 1748. *OF THE ORIGINAL CONTRACT*. p.6. Accessed July 22, 2022.

<https://rintintin.colorado.edu/~vancecd/phil215/Hume.pdf>.

¹⁹ *Ibid.*, p.6.

As Hume wrote in *OF THE ORIGINAL CONTRACT*, the political or civil duty of allegiance is belonged to the second one and “it is reflection only which engages us to sacrifice such strong passions (our primary instincts) to the interests of peace and public order“.²⁰ And also Hume mentions three kinds of goods that are possessed as natural things by human being: the internal satisfaction of our minds such as happiness, the external advantages of our body such as health and the material possessions we have acquired through industry and good fortune.²¹ Especially the concept of material possessions is distinctive among these three goods because it is related to the concept of property right. As Locke argued in *Two Treatises of Government*, each individual has his own body and, therefore, the labor which arose by the use of the body and its outcome belong to the person and that possessing things as the result of labor is the act under natural law.²² This is the logic of establishing the property right by Locke. The concept of property rights had been considered as the important factor in society which allows individuals to exercise their natural ability in order to enrich lives in the tradition of liberal thought. It opened another dimension of the question about legitimacy beyond the position of the social contract theory. Another dimension is utility-based approach of legitimacy. In the case of Hume, it means the benefits which individuals could get in a long term. Hume stresses that the property right and the peaceful enjoyment of the acquired things are included in *the*

²⁰ Hume, David. 1748. *OF THE ORIGINAL CONTRACT*. p.6. Accessed July 22, 2022. <https://rintintin.colorado.edu/~vancecd/phil215/Hume.pdf>.

²¹ Smith, George H. 2017. *Self-interest and social order in classical liberalism: the essays of George H. Smith*. Washington, District of Columbia: Cato Institute. p. 27.

²² Locke, John. 2016. *Two Treatises of Government*. MA: Hackett Publishing Company, Incorporated. p. 135. Accessed July 10, 2022. ProQuest Ebook Central.

convention and that those elements are necessary to well-being and subsistence of individuals.²³

When we think about the social contract theory by Hume, it is linked to the question such as how to start social cooperation with strangers who do not understand each other in the framework of convention. At this point, the idea of self-interest becomes more important in Hume's theory. For Hume, the purpose of organizing society is to provide better economic and social conditions for all members. He points out three elements: the increased economic force with the idea of division of labor, the improved individual abilities by concentrating on one particular sphere and the collective security based on various sources of support and assistance during emergency.²⁴ When people think about these advantages of organizing society, they are attracted to establish government which has legitimacy to set the common rules among such strangers. Here, when we look back upon Hume's assumption of the original situation where the private spheres (internal satisfaction, external advantage and material possessions) based on the order of natural laws, such private spheres are also the subjects which everyone becomes passionate to secure in terms of self-interest. For example, when I think about property rights, it stimulates the sense of self-interest and fosters the sense of everyone's hope to protect the right. This kind of security in a society is highly demanded at this point and it develops the reciprocity

²³ Smith, George H. 2017. *Self-interest and social order in classical liberalism: the essays of George H. Smith*. Washington, District of Columbia: Cato Institute. p. 30.

²⁴Ibid., p. 26.

(based on security for property) among members in a society. Here, Hume explains the concept of public utility in the framework of self-interested individual. Thus, the private spheres give natural power to individual because those are rooted by natural characters as human being. And, at the same time, it provides solid necessity to build social order. It becomes the very strong trigger for people to organize society and to ask for the establishment of government which could manage the relation with strangers. Hume's idea of political institutions is something constructed on conventions. It is because those institutions are directed to the people who could not understand the rule of conventions. This is the reason why I call Hume's idea of government as 'artificial institutions' in this chapter.

And as another remarkable point of liberal thought of Hume, I need to mention the idea of moderation. Hume emphasizes the rule of the middle of public opinion to maintain long-term stability (benefit of peace and good government) because he considers the middle of public opinion as the representation of conventions of authority.²⁵ The middle of public opinion (majority of the members in society) would represent the public spirit and could provide moral behavior based on experience not on agreement. For Hume, the image of the liberal state is "one with liberty defined as not just the stable rule of law, but a presumption in favor of having one's person, property, and promises due be left alone and

²⁵ Brownsey, P.F. 1978, "Hume and the Social Contract." *The Philosophical Quarterly*. Oxford, Oxford journals. Oxford University Press. p. 4. Accessed July 24, 2022. <https://www.jstor.org/table/2219359>.

undistributed by the government and other people."²⁶ Reliance on reason and moral sentiments of each individual (or *the convention*) is the key for organizing the liberal state in the approach of Hume. Rational image of human beings presented in *the convention* is important at the theoretical level but also at the structure of actual political institutions in the liberal state advocated by Hume.

To sum up this chapter, I will mention two remarkable points of Hume's idea. As the first point, I can mention the widened concept of self-interested behavior. Hobbes considers fear or strong desire for survival as the only fundamental source for individuals to behave. Therefore, there is no space or at least very limited space to change behavior in his theory. Individuals are forced to be self-interested and to behave "like wolves" unto each other until the last moment of establishing sovereignty. On the other hand, Hume does not see human behavior as something only rooted in fear and in the desire for survival. As I explained in the above paragraph that Hobbes and Hume have the different assumptions about the state of nature, Hume accepts several non-egoistic and pro-social elements as human nature. Under such assumption of Hume, it is possible to imagine the various activities of human being (internal satisfaction, external advantage and material possessions) which could be considered as natural phenomena before developing social cooperation with strangers. Here, while self-interested individuals need to care only about their security and

²⁶ Brownsey, P.F. 1978, "Hume and the Social Contract." *The Philosophical Quarterly*. Oxford, Oxford journals. Oxford University Press. p. 6. Accessed July 24, 2022. <https://www.jstor.org/table/2219359>.

need to give the power to sovereignty on the issue of security in Hobbes's assumption, the behavior of self-interested individuals is controlled not to be against such natural characters as human being and the rule of sovereign is various and complicated (not only on the issue of security but also for preserving property rights and for guaranteeing future benefits from mutual cooperation) in Hume's assumption. The scope of power exercised by government is limited not to violate the sphere of natural elements of individual. At this point, sovereign is not totally absolute for the members in a society. Compared to the situation in Hobbes's theory, the relationship between members and sovereign is more interactive and mutual. As the second remarkable point, the sympathetic (or benevolent) image of human being and the relation based on mutual (and future) benefits with strangers proposed by Hume are the very basic conditions on which the tradition of liberal thought relies. Assumptions on certain rationality of human being and on economic and social prosperity promised by cooperation with others are the given ideas for liberal thought.

When I think about Hume's approach in the context of particularity and generality, I can say that there is limited particularity in the assumption of Hume. Self-interested behavior (pursuit of particularity) is required in the relationship with strangers for further social cooperation. Encouragement (or supervision) of cooperation with strangers is the expected rule of political institutions. But, at the same time, establishment of such institutions is promised under the consent of people who have sense of

sympathy and benevolence (who live in *the convention*). Such people's behavior is not purely considered as being self-interested. It is more like a fixed self-interested behavior. Here, I will name such assumed behavior as pursuit of 'limited particularity' because the desire of people in convention is limited in the relationship with close people who can live in harmony under convention. In the theory of Hume, particularity is changed into limited particularity before the establishment of political institutions. And the artificial institutions are justified in order to secure the limited particularity and even to foster the future increased 'limited particularity' (self-interest).

1-2. Self-interest and social order (On utilitarian approach)

1-2-1. Mises and his 'positive' approach

Mises's understandings of social cooperation and of progressive intensification are partially based on Hobbes's and on Hume's discussions as it is shown in his utilitarian approach which he employed explain a philosophy of social cooperation and the logic of promoting welfare of all. Mises refers to the utilitarian approaches in order to connect the pursuit of personal ends with formation of social order. And he understands liberalism as a political movement to promote the welfare

of all from the utilitarian perspective. According to him, liberalism is not based on utopian assumptions as to human beings but based on self-interested and material-seeking image of human beings.²⁷ And as the result of self-interested behaviors by individuals, individuals start to realize the importance of cooperative relations with others and to understand that such cooperation could makes individuals' lives more productive. Mises's basic understanding of liberalism is constructed on the relationship between individuals and society. And in his understanding, liberalism is not value-neutral but is more directed to economic motivation and to economic prosperity. This point was suitable for modern industrial and mercantile society too.

This understanding of liberalism across economic spectrum follows one aspect of the traditional interpretations of modern liberal thought. The liberals including Hume and Smith at the early era of modern liberal tradition had developed their liberal images of human being (not only egoistic and self-interested but also sympathetic and benevolent) with the remarkable change of social and economic conditions at the beginning of modern mercantile era. This is one of the reasons why those liberal thinkers emphasize the concept of property rights and the order (or harmony with invisible hands) which is established on the certain rationality. As I wrote at the very beginning of this part (1. On the issue of particularity), the given assumptions such as rationality or natural laws

²⁷ McCann, Charles. 2004. *Individualism and the Social Order: The Social Element in Liberal Thought*. Boca Raton, FL: Routledge. p.159.

are the core element of liberal thought and of liberalism. Mises himself does accept such assumption regarding rationality but, at the same time, does emphasize the unreasonable behaviors of individuals.²⁸ Unlike the liberals who emphasized the rule of sympathy or moral sense in the 18th and 19th century, Mises emphasizes the rule of self-interested (or non-rational) behavior on forming an association of individuals.

Mises starts his discussion with two assumptions: individuals' judgement of preferring cooperation to isolated labor and existence of well-established private ownership. And those two elements would motivate individuals to seek their fulfillment of wants. Cooperation with others would improve the lives of people.²⁹ And the well-established property rights (or private ownership) is important for a liberal society because the situation where the property rights are guaranteed would allow individuals to be free and to live peacefully (without the unnormal risk of death and suffering).³⁰ And those two conditions are important to the development of a complex social network.

The division of labor in a modern society is the case of an inevitable changing process of social evolution for increasing material well-being. Society is captured as an organism which is getting complex and required

²⁸ Ludwig von Mises, and Bettina Bien Greaves. 2005. *Liberalism : The Classical Liberalism*. Lib Works Ludwig Von Mises PB Ser. Indianapolis: Liberty Fund Inc. p. 5. Accessed July 22, 2022. https://cdn.mises.org/Liberalism%20In%20the%20Classical%20Tradition_3.pdf.

²⁹ Ibid., p.18.

³⁰ Ibid., pp. 22,23.

to be divided for profitable use by individuals. By taking utilitarian approaches which focus on efficiency and productivity, Mises tries to explain the origin of the division of labor and of the developed society in two essential facts: human beings are unequal in abilities, and some external conditions of human life display an endless variety.³¹ His idea of mutual cooperation is not based on the individuals' desire for survival but on achieving more effective production under the assumption of more developed society where various people with unique individuality already live together. For Mises, social cooperation among separated individuals is promoted for the fulfillment of wants beyond the scarce use of resources by one person and the limited natural abilities of each individual. And also, through such cooperation among the self-interested individuals, independent individuals have realized the importance of social interaction with others and its nature as human being has also transformed into being more dependent on others. This deep transformation of human nature which starts to seek for cooperation with others is essentially unreturnable in the inevitable flow of social evolution. Here, human nature is changeable and establishment of society is mainly based on such changeable elements in Mises's assumption. In the society based on this assumption, the wills of particular individuals are critically important. It is same to Hobbes's assumption that selfish and egoistic individuals who care only about their own survival establish the society. However, on the process of inevitable social evolution of various

³¹ McCann, Charles. 2004. *Individualism and the Social Order: The Social Element in Liberal Thought*. Boca Raton, FL: Routledge. p. 162.

functions among unique individuals, selfish individuals have learned the advantages of cooperating with others and their nature has been transformed into being more dependent on each other. And society has changed itself into the collection form of each individual in accordance with the transformation of each individual's learning and character. For Mises, all this change is the natural phenomena based on the most primitive character (self-interest) which stimulates the will of individual directly. Under his assumption, a society is constructed as the result of behaviors for satisfaction of personal ends and even ethical duties are also the generated phenomena which reflect the concept of 'as it is' based on utilitarian calculation.

From Mises's theory, I need to mention three important elements. The first point is that Mises develops the concept of social cooperation or, in other words, of social contract at different levels. He combines rational aspect of human beings with non-rational one. Self-interested behaviors could include both aspects of human beings. Foundation of social organization is explained as the inevitable result of such self-interested behaviors with the image of social evolution. The second point is that his approach does not distinguish 'right' from 'good' regarding the standard of moral judgement. Political institutions and moral duties exist only as long as they do not decrease the amount of materialistic satisfaction of individuals. It is because political institutions and moral duties are inevitably established (or transformed) by following the result of pursuit of materialistic well-being by individuals. The standard of judgement

does not depend on absolute standard but on calculation by individuals and by society. In this sense, Mises's use of utility-based approach is more familiar to Bentham's utilitarianism. In the writing *An Introduction to the Principles of Morals and Legislation*, Bentham insists that mankind is driven by two masters: pain and pleasure.³² And he explains how utility works to form the foundation of social system by mentioning the tendency of preferring benefits and happiness to pain and unhappiness in general and expresses it in the phrase such as "if that party be the community in general, then the happiness of the community".³³ And according to his understanding of the rule of utility, Bentham does not distinguish what we shall do from what we ought to do as Mises does not distinguish them.

As the last comment, I would like to think about Mises's approach from the perspective of particularity and generality. Acts for pursuing personal ends are the behavior of the particular. The two basic assumptions (individuals' rational judgement of preferring cooperation to isolated labor and existence of well-established private ownership) are related to the particular interests. And when I think about Mises's image of social evolution and of social cooperation (and division of labor), all social elements (government and ethical rules) are created as the result of pursuing particular interests. Here, the collection of particularity is equal

³² Bentham, Jeremy. 1781. "Chapter 1: Of The Principle of Utility" in *An Introduction to the Principles of Morals and Legislation*. Accessed July 25, 2022. [Jeremy Bentham: An Introduction to the Principles of Morals and Legislation \(utilitarianism.com\)](https://www.utilitarianism.com/).

³³ Ibid., "Chapter 1: Of The Principle of Utility".

to the way of political institutions and even behaviors of each individual. And also, the level of particularity is located on the same level of particularity which I mentioned in the chapter regarding Hobbes. It is because it is supposed that each individual behaves only for their self-interests. The psychological trigger of behavior is based only on self-interested motivation. I mention Mises in this chapter because I would like to describe the rule of particularity on creating social order (only self-interested motivation) in liberal thought as the applied way of social contract theory of Hobbes.

1-2-2. Mill and his ‘rule-utilitarianism’

The main argument of the above three chapters is the meaning of political institutions and of moral duties in three different approaches. Political institutions are established for the sake of ensuring security and property rights and for promoting total welfare of society. Moral duties are generated in the framework of absoluteness (for Hobbes), of innate moral sense or natural laws (for Hume) and of reflection of ‘as it is’ (for Mises). In this chapter, I will describe Mill’s approaches related to the standard of moral judgement and to the rule of political institutions. The basic position of his arguments on the above two issues is shown in the statement in *On liberty*:

That principle is, that the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number, is self-protection. That the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others.³⁴

Here, Mill has the certain assumption of free and rational individual and of the limited use of power of political institutions. In the following paragraphs, I will review Mill's points related to the image of such individual and of political institutions.

Utilitarianism emphasizes the calculation of total amount of happiness with the pleasure-pain principle. Especially, hedonistic utilitarianism represented by Bentham does not distinguish 'what we shall do' from 'what we ought to do'. Desirable things are considered as 'be capable of being desired' not as 'should be desired'. Mill is counted as have been one of the philosophers of utilitarianism, he takes over this approach (happiness is the sole end of human action, and it could become the criterion of morality in a society). However, Mill's use of utility or his concept of utilitarianism is a bit different from hedonistic approach. Mill emphasizes the character of man as a progressive social being and brings the ethical intuition which shows 'what we ought to do' or 'what should

³⁴ Mill, John Stuart. 2011. *On Liberty*. S.I: Andrews UK. Accessed July 10, 2022. eBook Academic Collection (EBSCO). p. 26.

be desired'. This difference also comes from Mill's particular definition of the meaning of utility. He mentioned the definition as below:

I regard utility as the ultimate appeal on all ethical questions; but it must be utility in the largest sense, grounded on the permanent interests of man as a progressive being.³⁵

This is the remarkable point of Mill's version of utilitarianism and is one of his main contributions toward development of liberal thought. For Mill, utility could give answers on all ethical questions. And, at the same time, it guarantees permanent interests of man. Also, man is considered as a progressive being. Here, the concept of utility as the ethical standard is workable for progressive men and is directed to permanent interests. Mill has high expectation on human beings.

Mill denies the innate moral feelings of human beings, but does concede the capability of sympathy with all others and of recognizing a fellow-feeling for the means of happiness. This is the basic image of human beings in Mill's version of utilitarianism.³⁶ While an isolated individual seeks the fulfillment of his own pleasure, man as a social being starts to identify each individual's end with the ends of others in a society. Here, the instinctive feeling of sympathy with others leads independent people

³⁵ Mill, John Stuart. 2011. *On Liberty*. S.I: Andrews UK. Accessed July 10, 2022. eBook Academic Collection (EBSCO). p.27.

³⁶ McCann, Charles. 2004. *Individualism and the Social Order: The Social Element in Liberal Thought*. Boca Raton, FL: Routledge. p.42.

to the mutual cooperation. And the cooperation helps to establish collective interest (general happiness). The remarkable character of Mill's utilitarianism is based on this proposal which shows the permanent and inevitable connection between individual interest and collective interest. And also, for Mill, the pursuit of individual interest is limited under the harm principle. Harm principle is the criterion of showing the limit of free exercise of liberty by individual. Mill refers the pursuing process of individual interest with harm principle to the foundation of collective interest. As another distinctive point of Mill's utilitarianism from hedonistic approach, I can point out his attitude toward the quality of the pursued happiness. In Mill's assumption, each individual acquires cognitive faculties of mentality which realize more desirable happiness beyond mere concern for survival. And such faculties are developed in the social functions as a necessary discipline. They set the certain standard of high-quality happiness which persons should pursue and even help to internalize such standard into morality of individuals as social virtue. This type of moral code restricts the acts of individual and the acts are right as long as they follow the moral code in a society. Here, Mill's approach has the people's acts fixed by the content of the moral system with maximum utility and by the justification for an action is fully interiorized within the moral system.³⁷ This is the reason why Mill's approach is considered as rule-utilitarianism. And in the sense of putting the certain obligation (moral requirement) prior to the acts of pursuing

³⁷ McCann, Charles. 2004. *Individualism and the Social Order: The Social Element in Liberal Thought*. Boca Raton, FL: Routledge. p.45.

general happiness by individuals, Mill's approach would be distinguished from other utilitarian approaches.

In the above paragraph, I explained the image of each individual in Mill's assumption. There, each individual naturally pursues general happiness and follows moral requirements derived from functions of higher cognitive faculties as the progressive beings. Taking in consideration this given image of human beings, Mill starts the discussion about individuals and society (or political institutions). When we discuss the relationship between individuals and society, how society prevents the ruler from abusing his power against the people or how the people could restrict the ruler's power in the institutions becomes the main concern. Mill takes the above questions as the issue of division between the sovereign of individual and the one of society.³⁸ For example, harm principle works as the absolute bar against acceptableness of behavior by free and independent individual. Here, a state is not allowed to intervene with a personal life as far as the way of life does not violate harm principle against others. State does not have legal power for punishment against the individuals who do not harm others. On the other hand, a state does not need to be neutral with respect to fostering desirable tendency and characters of the people and to preventing society from falling into the tyranny of majority. Such intervention by state is justified because it helps to remove the regularity of conduct, to promote variety among the

³⁸ Mill, John Stuart. 2011. *On Liberty*. S.I: Andrews UK. Accessed July 10, 2022. eBook Academic Collection (EBSCO). p. 93.

people (to prevent society from degradation). However, a laissez-faire approach should still be the general principle for Mill and he advises that every departure from it, unless required by some great good, is a certain evil.³⁹ The situation where each individual could exercise his liberty with respect of others' liberty is still thought as the best form (even as a certain evil) of maximizing the utility (of Mill's concept). Taking this basic understanding into consideration, the rules of government should be remained at the minimum level and the free exercise of individual will must be secured (state could intervene with it just in order to ensure the desirable environment including preventing from thread by the majority and moral / citizenry education which could contribute to further cultivation of higher faculties) in Mill's assumption.⁴⁰

To sum up this chapter, I need to point out two important aspects from Mill's approach. First, it is that he considers quality as the important element of evaluating utility or happiness of individual and of society. And, at the same time, there is the image of well-ordered human being who could judge the consequence of actions beyond the simple calculation with pleasure and pain. When I see Mill's approach as one of the representative ways regarding liberal thought, it is possible to consider that the concept of utility for liberalism is not same to the one of sum of pleasure (or of surplus on the economic market). For liberalism, it is required to keep some sorts of moral requirement in order to know if

³⁹ McCann, Charles. 2004. *Individualism and the Social Order: The Social Element in Liberal Thought*. Boca Raton, FL: Routledge. p.59.

⁴⁰ *Ibid.*, pp. 60-61.

the consequences is worth of being morally well evaluated. Second, it is that Mill's position is different from libertarianism which emphasizes on the absolute free actions by individual and lets them behave freely just only with the minimum functions of state. It certainly follows the current of liberal tradition since the 18th century. Free exercise of individual liberty is necessary to maximize the utility. And society's (or state's) intervention must be limited at the very minimum level. But still, Mill's argument is relied on the image of sympathetic and cooperative human being and he emphasizes on the rule of state's intervention in order to cultivate citizenry and sense of community. For Mill, free exercise of liberty is the subject which must be pursued within these conditions. In this sense, I can say that Mill's approach is on the current of modern liberal traditions represented by Hume, Smith and etc.

In Mill's approach, the identifying process of individual interest with general happiness is explained under the assumption that people have the ability to feel sympathy with others. Such ability allows people to see each other not as rivals who could harm each other but as partners who seek the common interests. Here, he sees individuals as social creatures which could decide their behaviors by following natural laws. And at this point, the basic idea of Mill's approach is taken over from the approach of Hume. The reason why I mention Mill in this chapter is that it is the example of how limited particularity could create social order and the standard of political / moral judgement in the development of liberal thought. And also, as another argument, I can mention the difference

between Mises's approach (based on particularity) and Mill's one (based on limited particularity). It is related to how to (or which factors) control the behavior of individual. When particularity is taken as the ultimate element of consisting of social order, the consequence of pursuit of particularity becomes moral and political rules in society. On the other hand, when social order is established on the collection of limited particularity, it could become the dual system of moral / political rules in society. The one exists in society in the way of being visible. It would be shared among the people. Another rule exists in the mind of each individual. It would provide the normative power to behavior of each individual as moral code. And it could force individual to accept the behavior of 'ought to'.

2. Liberalism and the issue of generality

As I mentioned in the above part (related to the issue of particularity), the main purpose of the whole thesis is to think about the fundamental relation between individual and society and to find the insights regarding liberalism as the modern political philosophy. In the first part, through mentioning the social contract theory and the utilitarian explanation regarding foundation of society, I argued about how self-interested behavior of individuals leads to the establishment of political institutions and how political institutions (or sovereignty) could intervene with the

sphere of individuals. The point here is that the concept of utility could become the bridge between individual and society.

But when we assume that the political institutions are established only upon the utility (and also on the feeling of sympathy), it might not be enough to explain the origin of society or of sovereignty. It could describe the dominance relation between the ruler (Leviathan) and the ruled (the people) but might not expand beyond the relation between the slave owner and the slaves. The reason why I use this expression is that discussion about the sovereignty based on utility could miss the important aspect of our society. The relation between the ruler and the ruled in our society is not similar to the one between the slave owner and the slave. For example, even when the slave owner guaranteed the security and the wealthy life for slaves, it would not be a model of an ideal society because it is still the relation with slaves (being slaves itself could be the violation of rights as human being). Here, the new point which I would like to bring into the whole discussion is about the concept of rightness in a society.

In this part (related to an issue of generality), I would like to think about rightness and individuality in a liberal society. In comparison with the utilitarian approach focused on 'goodness', it is the discussion regarding 'rightness' in a society. Rightness generates the absolute principles which could not be changed by any other standards. In other words, it is about

justice in a liberal society. By the way, before continuing this argument, I need to make my position clear regarding liberal thought which focuses on ‘rightness’ here. In *Democracy's discontent*, Sandel mentions the general situation related to discussion about the difference between utilitarianism and Kantian liberalism.⁴¹ Here, he describes the distinctive character of Kantian liberalism as the clear difference between the ‘right’ and the ‘good’ referring to individual rights and to the image of the liberal (unencumbered) self while utilitarianism as one of the liberal principles pursues the maximization of the general welfare. But in the below chapters, I will not discuss about Kantian liberalism. Exactly speaking, I mentioned Sandel’s sentences because I want to make sure about the meaning of ‘rightness’ which I particularly use here. In this thesis, I am willing to explain the establishment of social order among individuals who are driven by impulse of natural feelings such as self-interest and also to think about how liberalism develops with such discussions. Therefore, the discussions about ‘self’ itself or about development of morality within one person are not very important here. The main concern is the interaction with others (strangers) and the political question of how to deal with it. In this sense, the concept of ‘rightness’ (justice) in this thesis is not subjective to the sense of justice installed to persons but it is directed to political phenomenon which is created in order to foster social order.

⁴¹ Sandel, Michael J. 1996. *Democracy's discontent: America in search of a public philosophy*. Cambridge: Belknap Press of Harvard University Press. pp. 8-11.

In this part, I will discuss about justice by think about generality and by referring to Rawls's theoretical equipment to introduce the principle of justice. Here, I will think about the different approach to foster a liberal society.

2-1. Self-interest and social order (On the general will)

As the title of this chapter shows, I will mention the general will in this chapter and it means that the main theme here is related to Rousseau and his social contract. It is about the generality in a society and about the discussion about the rightness which could help society or government to develop itself beyond the mere gathering of people. When I talk about the structure of the whole thesis, this chapter forms the counterpart for the chapters 1-1-1 (About Hobbes) (and also partly for 1-1-2 (Hume)). It is the kind of comparative research of the different types of social contract and of relationship between individuals and society.

While Hobbes tries to establish the order by the people's giving themselves to Leviathan (and he does limit the freedom of behavior by individuals and emphasizes the absoluteness of sovereignty), Rousseau does not accept such relation as the foundation of association. All rights and obligations related to governance are not based on total abandonment of liberty owned by individuals. In order to make the power of the ruler morally right, it is necessary to change the power of dominance by others

into the right of obedience for others because the ruled also have their own power and liberties in their nature. The first contract which is agreed in the state of nature must secure the liberties and the power which the people already have in the state of nature and even must bring the additional advantages to all members. If the things which individuals had in the state of nature are deprived for the sovereignty, Rousseau insists that such first contract could not be suitable as the social model. If each individual needs to throw away his liberty which he had in the state of nature, such contract could not be right anymore. This is the first criticism which Rousseau gives to Hobbes's explanation about sovereignty. Rousseau does not agree with one-sided forceful dominant relation based only on the power. But rather, he emphasizes on the rule of obligation of obedience based on rights. Rousseau does not accept the justification of despotism for the logic of sustaining society. He explains such his position in *On the social contract* as below:

There will always be a great difference between subduing a multitude and ruling a society. If scattered men were successively enslaved by a single individual, I see nothing there – however many they may be - but a master and slaves; I do not see a people and their leader. It is, if you will, an aggregation

but not an association. There is neither a public good nor a body politic there.⁴²

One of the differences between an aggregation and an association is relied on the understanding of publicness. And the body politic needs to be based on such publicness. The main purpose of social contract advocated by Rousseau is the theoretical foundation of establishing publicness in a society and of the issue related to the legitimate power which is exercised against all citizens by enacting laws.

In Rousseau's assumption, people enjoy freedom (situation without external limitations) and their own power. And at a particular moment, when people seek the cooperation with others for some reasons, people start to gather together and to transform the state of nature into the civil state. All people can do for it is to connect the things which they already have and to drive the state (of nature) into a particular direction with the already owned things. It means that the people provide their own liberty and power to the common person who secures the liberal person (self) with the rights which each individual has in nature and the power (physical power and property rights as the result of physical activities) in the form of an association. Here, the careful point is that the common person should not be separated from each individual himself (not as Hobbes imagines his concept of sovereign as something higher than the

⁴² Rousseau, Jean-Jacques. 2019. *On the Social Contract*. Cambridge: Hackett Publishing Company, Incorporated. Accessed July 10, 2022. ProQuest Ebook Central. p.10.

concept of each individual). It is important to eliminate the danger of oppression by such collective political body. Such social contract (transferring self and power) would be realized by dual stages of contracts. One of dual stages is between the public (as a member of sovereign) and private individual. Another is between a member of state and sovereign.⁴³ Here, sovereign represents the publicness in a society and sovereign is represented by each individual. And under the assumption, the number of the common selves is same to the number of the people who can vote in the assembly. Such a common self (the public person) is called *republic* or body politic. When it is understood in a passive way by members, it is called *state*. And when in a positive way, it is called *sovereign*.⁴⁴ As the members of republic, they need to think about the public things and to join the legislative process by exerting their rights which they have as free and independent men. And also, they are forced to be free and independent because it is the necessary condition in order to sustain the republic's life. Being free and independent brings the legitimacy to agreements or to the enacted laws by sovereign. That is why the members of republic or, in other words, of sovereign are especially called as *citizens*. And the main point of establishing republic is to bring legitimacy (a kind of rightness) in the civil state which is the next situation after the state of nature). As long as the sovereign (the basis of legitimacy) exists in a society or among the people, the purpose of republic (the civil state) remains in place. The above whole structure

⁴³ Rousseau, Jean-Jacques. 2019. *On the Social Contract*. Cambridge: Hackett Publishing Company, Incorporated. Accessed July 10, 2022. ProQuest Ebook Central. p.13.

⁴⁴Ibid., p.12.

between each individual and republic or sovereign is well explained in the below sentence:

Each of us places his person and all his power in common under the supreme direction of the general will; and as one, we receive each member as an indivisible part of the whole.⁴⁵

The general will is the supreme power of leading the state which was founded for the public things. And the sovereign is the use of the general will. This will is the essentially collective thing among the people who hoped to escape from the state of nature. There is no dominant relations but is the mutual agreement among equal individuals. When someone could become the ruler against someone, the sovereign would disappear and the republic would not last anymore. For the same reason, the sovereign could not be divided. The general will exist only as one form of collective will. When the will looks like being divided, it is just the appearance of particular will of some people or just the separated appearance of several functions of the polity which are designed for pursuing the public goods. Also, the general will is not same to the aggregate will of particular wills which could include a part of the general will. The general will only seeks the common interest (the public goods) but the particular will only seeks the private interest.

⁴⁵ Rousseau, Jean-Jacques. 2019. *On the Social Contract*. Cambridge: Hackett Publishing Company, Incorporated. Accessed July 10, 2022. ProQuest Ebook Central. p. 12.

The social contract advocated by Rousseau starts its assumption from the self-interested behavior of individuals. In the state of nature, the behaviors of individuals are driven by the instinct desire and are affected by the abusive power of each other. But, on the process of transforming the state of nature into the civil state, the principle which determines the behaviors becomes no longer a desire but the rights as a citizen (and the obligation). Under this transformation, for example, individual loses his property which was acquired by power (and which would be always threatened by others). But at the same time, individual gets the property right which is surely established by a law (by the sovereign). Unlimited freedom guaranteed by power would be replaced with freedom based on the absolute rightness (the general will). Also, when individuals obey their own laws through the sovereign, individuals become morally free because they become their own masters. Through the social contract, individuals could get better conditions to live. Instead of unstable and dangerous lives, they get secured and more organized lives under the rule of sovereign. Instead of power and its abusiveness, they get the right and its certainty. Also, the general will is always right and it seeks the interest of all individuals in a society because the sovereign (or the public) is equal to each individual. The right for the sovereign is equally distributed to the people and the obligation for the state is also equally distributed to the people. Such essence of right and of obligation is based on the absolute publicness of sovereign in an association. Individuals need to devote their lives to the state but their lives must be secured by the sovereign. Such points are the advantages which all individuals in a

society could get through the social contract and in the civil state. Those shows the increased interest for each individual to be pursued by self-interested individuals living in the state of nature. Rousseau explains the advantages or the most important purpose of the social contract and of the civil state as below:

It is that instead of destroying natural equality, the fundamental compact, on the contrary, substitutes a moral and legitimate equality to whatever physical inequality nature may have been able to impose upon men, and that, however unequal in force or intelligence they may be, men all become equal by agreement and by right.⁴⁶

The social contract provides the existence for the body politic. And the legislative power to enact a law gives it the activities. The general will does not head to the particular interest but to the public thing. And a law is the result of the activities by the general will. As the general will is essentially public, a law is essentially public. The subjects applied by a law are considered as the public thing too. The image of the ideal society after the social contract for Rousseau is the society where the people govern themselves with rights and laws enacted as the result of legitimate activities by the sovereign. Rousseau calls a state which has legitimate government as republican:

⁴⁶ Rousseau, Jean-Jacques. 2019. *On the Social Contract*. Cambridge: Hackett Publishing Company, Incorporated. Accessed July 10, 2022. ProQuest Ebook Central. p.18.

I therefore call every state ruled by laws a republic, regardless of the form its administration may take. For only then does the public interest govern, and only then is the “public thing” [in Latin: *res publica*] something real. Every legitimate government is republican.⁴⁷

All legislative systems exist only for the public interest and for happiness of the people. And Rousseau insists that happiness is the achievement of liberty and equality.⁴⁸ As I already explained in the above paragraph, liberty is the necessary condition to sustain the sovereign (and the sovereign forces the people to be free and independent). Here, equality is also required because people cannot be free and independent with too much uneven distribution of wealth. Rousseau warns not to have too wealthy people who afford to buy other citizens and not to have too poor people who cannot help selling themselves to someone for a living. Otherwise, republic does not last for a long time and an association would get powerless.

2-2. Rawls and his concept of ‘the original position’

This thesis is about social order in liberal thought. And this part focuses on the concept of generality as the standard of organizing social order.

⁴⁷ Rousseau, Jean-Jacques. 2019. *On the Social Contract*. Cambridge: Hackett Publishing Company, Incorporated. Accessed July 10, 2022. ProQuest Ebook Central. p.30.

⁴⁸ *Ibid.*, p.41.

Generality is the standard of justice or rightness in a society as I already mentioned in the above paragraphs. In order to introduce generality with the assumption of self-interested individual, it is important to discuss the public things in society. Rousseau does construct his contract theory by identifying individuals with the sovereign. In this chapter, I will mention Rawls and his concept of justice as the example of introducing justice with the approach related to generality which is applicable in a contemporary society.

A theory of justice is one of the contract theories. As I already mentioned the contract theories by Hobbes, Hume and Rousseau, the main arguments in Rawls's theory are about social cooperation among individuals and the concept of rights and duties. The principles introduced from the theory are purely related to social justice. They are related to the understanding of rights and duties in society and are related to the distribution issue of benefits and burdens through social cooperation. By using the particular equipment, Rawls introduces the principles of justice (here, justice means the first virtue in a society. And its principles are prior to any kinds of goods and are the necessary conditions for keeping a society just). The principles are considered as social justice which works for building the basic structure of society and not for the conduct of individuals. When Rawls calls a society a well-ordered society, it is the image of a society in which "(1) everyone accepts and knows that the others accept the same principles of justice,

2 and (2) the basic social institutions generally satisfy and are generally known to satisfy these principles“.⁴⁹ In the following paragraphs, I will examine the three points regarding Rawls’s approach. First, it is about the image of a well-ordered society. Of course, in order to explain a well-ordered society, I need to mention about the content of the principles of justice and also about Rawls’s understanding of liberty and equality. Second, it is about the method or the theoretical equipment which Rawls uses for introducing the principles of justice. I will mention the original position and the veil of ignorance as the equipment which makes possible for one person to overlap himself with the generality of a society. Third, it is about the explanation about what the issue of generality brings with the assumption of self-interested individuals in a modern society. Here, I will mention Rousseau and Rawls as the thinkers who consequently emphasizes on individuality in society by emphasizing on the generality.

The principles of justice are consisted of two elements: liberty (political equality) and economic equality. These principles are directed to the assignment of rights and duties and to the distribution of social and economic advantages. The exact sentences of these principles are as below:

First Principle

⁴⁹ Rawls, John. 1971. *A theory of justice*. Cambridge, MA: Belknap Press of Harvard University Press. p. 5.

Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all.

Second Principle

Social and economic inequalities are to be arranged so that they are both: (a) to the greatest benefit of the least advantaged, consistent with the just savings principle, and (b) attached to offices and positions open to all under conditions of fair equality of opportunity.⁵⁰

As the examples of extensive basic liberty, Rawls mentions the political rights (to vote or to be eligible for public office), the freedom of speech, the freedom of property rights etc. The second principle has the condition that distribution of income or wealth and fair open opportunity must be done so that everyone benefits. Rawls calls such kinds of liberties and economic conditions (also he puts self-respect to the same group) as the social primary goods.⁵¹ Such primary goods are the lists that every rational man is presumed to want in the original position (I will explain about this concept in the following paragraph). And the first principle is prior to the second. The point of these principles is to regulate basic institutional arrangements and to promote social cooperation based on mutuality with certain just conditions. The first principle is to guarantee the basic liberties for each individual. And also, it includes respect for the

⁵⁰ Rawls, John. 1971. *A theory of justice*. Cambridge, MA: Belknap Press of Harvard University Press. p.302.

⁵¹ *Ibid.*, p.62.

same liberties for others. There is the similar logic to harm principle behind this principle. As long as people do not violate others' liberties, the liberties of people must be guaranteed by social and political institutions. The second principles are connecting to the issue of social cooperation. In other words, it is the question of how to show the reasonably acceptable standard of social and economic inequality originated as the result of activities among free and independent individuals. The (a) part is called as difference principle. Reasonable economic inequality as the functional result of social cooperation is not the target of this principle because it could promote further social cooperation and could bring more benefits to various members in a society. The problem which Rawls picks up here is the unacceptably large social and economic inequality which does not bring maximum benefits to the least advantaged. The (b) part is related to the fair equality of opportunity. It is also to foster social cooperation by eliminating obstacles or unfair advantages originated from coincidentally given conditions.

The above principles of justice are theoretically justified in the assumption of *the original position* introduced by Rawls. In terms of seeking the first agreement (the conditions which restrict the legitimate range of intervention by government or by society), the concept of the original position is similar to the image of the state of nature. It is the hypothetical framework of looking back to the very primitive relation between individuals and society. Rawls sets the original position as the

equipment of objectively introducing social rules or justice. He mentions that the justification of the principles is the result of reasonable and reflective process with rational choice by one person.⁵² And this is one of the reasons why I consider Rawls's theory of justice especially applicable to a contemporary society which contains so much diversity. It makes possible to think about a whole society through one hypothetical eye. And in order to set the original position and the justification process, Rawls uses the unique equipment called 'veil of ignorance'

The concept of 'veil of ignorance' is the theoretical equipment for introducing the notion of justice. It is the veil which makes individuals blind to their particular interest. It helps to ignore social and natural circumstances to individuals' own advantages (particular cases) and to concentrate on the purely general things. The things which individuals do not know in the original situation are the particular facts. For example, those are the assigned place in a society or social status, the fortune regarding natural talent and assets, the intelligence and the characters. Also, they do not know political and economic situation and a level of civilization where they would live. On the other hand, they know that their society needs the principles of justice in order to organize their society and to promote social cooperation. Also, they know some general facts such as political affairs and economic rules in a society. Of course, this equipment is hypothetical too as the whole image of Rawls's contract

⁵² Rawls, John. 1971. *A theory of justice*. Cambridge, MA: Belknap Press of Harvard University Press. p.17.

theory is based on the hypothetical situation. But this is the insightful and valid equipment in order to think about a social structure through the eyes of one person by completely overlapping one representative person with all other persons. Rawls explains this point in the below sentences:

To begin with, it is clear that since the differences among the parties are unknown to them, and everyone is equally rational and similarly situated, each is convinced by the same arguments. Therefore, we can view the choice in the original position from the standpoint of one person selected at random.⁵³

Any parties could not affect the formulation of the principles. Even the question of legitimacy of the principles between generations could be no longer the obstacle of formulation. The choice under the original position could not be in someone's particular interest. And the view of one randomly selected person would be able to represent the general sight (interest) of a society. Such deliberation process and its result for formulating the principles of justice are summarized in this one sentence: "Whatever his temporal position, each is forced to choose for everyone".⁵⁴ Also, at the same part, Rawls refers to Rousseau's words (from *The Social Contract*, bk. 2, ch. 4, par. 5.). I cite this whole

⁵³ Rawls, John. 1971. *A theory of justice*. Cambridge, MA: Belknap Press of Harvard University Press. p.139.

⁵⁴ *Ibid.*, p.140.

paragraph here in order to make easier to understand the theoretical purpose of the original position and to show the common essence between Rousseau and Rawls.

The commitments that bind us to the body politic are obligatory only because they are mutual, and their nature is such that in fulfilling them one cannot work for someone else without also working for oneself. Why is the general will always right, and why do all constantly want the happiness of each of them, if not because everyone applies the word *each* to himself and thinks of himself as he votes for all? This proves that the equality of right and the notion of justice it produces are derived from the preference each person gives himself, and thus from the nature of man; that the general will, to be really such, must be general in its object as well as in its essence; that it must derive from all in order to be applied to all; and that it loses its natural rectitude when it tends toward any individual, determinate object. For then, judging what is foreign to us, we have no true principle of equity to guide us.⁵⁵

The principles of justice are chosen as the result of the imagination related to what individual prefers to choose if everyone considers himself as *each* of all and his interest as being mutually applied to their interest.

⁵⁵ Rousseau, Jean-Jacques. 2019. *On the Social Contract*. Cambridge: Hackett Publishing Company, Incorporated. Accessed July 10, 2022. ProQuest Ebook Central. p. 24.

Liberty and social / economic equality (difference principle and equal opportunity) are chosen by the rational choice of one person under such assumption behind the veil of ignorance.

In this part (2. generality), I have discussed the relationship between self-interested individuals and generality. Generality guarantees the rightness in a society. And I mentioned Rousseau and Rawls as the examples of showing how to introduce generality in society. The important point of behaviors by self-interested individuals is the split of self / person or the full devotion of self to a society. For the contract in *On the Social Contract*, each individual theoretically devotes all of him to the sovereign (it is the hypothetical situation where each individual would give his rights and power which were all he had in the state of nature). The general will would be established by all in this sense, and therefore, the general will work only for all. On the other hand, after establishing the sovereign (escaping from the state of nature), Rousseau emphasizes the difference between the general will and the sum of particular will in the civil state. At this point, I can see the split of self or will of each individual. As the legitimate power to enact laws is relied only on the general will, the use of particular will would be inevitably limited not to violate the range of the general will. Here, the will of self-interested individuals would be consisted of two dimensions (general and particular) in a hypothetical situation. The use of one dimension (general) of will rooted by self-interested behavior would bring the generality (rightness) in a society. Rawls uses the theoretical equipment of veil of

ignorance in order to find the general perspective from one conditional person who could represent each individual in a society. As I explain now, the relation between the generality and self-interested individual is based on the finding of the general and common essences of each individual. The measurement of absolute publicness or rightness is theoretically pursued in the above written approach.

3. Political and economic cultures in a liberal society

In the above two parts (1. utility / 2. generality), I have described the fostering process of social order among self-interested individuals. This is the attempt of capturing the image of social order within the framework of liberal thought. At the primitive (or hypothetical) level of the process, I mentioned Hobbes, Hume and Rousseau. Especially when I put emphasis on the rule of natural law into consideration, I could count Hume and Rousseau as the important figures of liberal thought in the modern political philosophy. At the more practical level, I mentioned von Mises, Mill and Rawls in this thesis. Mises considers the utility as the engine of developing a social structure and sees laws as the reflection of *as it is* (goods) in a society. Mill brings moral requirement (which is rooted by the character of natural law) into calculation of utility in a society. Rawls

submits the alternative toward utility-based approach and also provides the theoretical image of welfare state in liberal thought.

In this part, I would like to think about political institutions more concretely from the perspectives of utility-based and of generality-based understanding of liberalism. I have two targets as the examples of institutions: democracy (political participation by individuals) and state intervention (rule of state in a society).

3-1. Liberalism and democracy

Liberalism is not equal to anarchism. It is the political ideology which has developed with the image of rational human beings directed by natural laws. And political institutions are required in society in order to make the life with others more comfortable. Sovereign is established by the consent of the people. The consent was made only once in the pre-historical period. The consent is the theoretical assumption of escaping from the state of nature. The concept of democracy (or political participation) I would like to talk about here is on the different level from the first consent. Here, democracy has more practical meanings. It is political decision process by people in the existing political institutions. In this chapter, I will mention the relationship between liberal thought and democracy from the three perspectives: historical background,

utility-based approach (Mill), and generality-based approach (Rousseau and Rawls).

In history, democracy had not been welcomed positively. Or rather, political thinkers had found the fear of tyranny of people in democratic regime. Therefore, they have advocated for systems based on meritocracy which is managed by a few skillful persons. Such notion that the meritorious should govern is popular beyond the ages.⁵⁶ In ancient China, Confucius taught that those who excelled in virtue and ability should govern. And in ancient Greece, Plato imagined a philosopher-king to lead a society. Such fear of tyranny of people was still dominant at the beginning of modern era. In the 18th and 19th century, as many political philosophers are suspicious of democracy, the liberal side had hesitated toward full-democracy. For example, Constant and Madame de Stael advocated “liberal principles” deprived from the Scottish tradition as the barriers against the movement of counterrevolution and of extremism after the French revolution. They saw the devastating era of the Terror and the authoritarian rule supported by the majority of ordinary citizens. Therefore, Constant was aware of how easily popular sovereignty is turned into dictatorship. And he thought that unbounded power which could be exerted by any names (such as of the people, of the king and of the parliament) has serious risk of being abused. In the *Principles of Politics Applicable to all Governments*, Constant insisted that individuals

⁵⁶ Sandel, Michael J. 2020. *The tyranny of merit: what's become of the common good?*. New York: Farrar, Straus and Giroux. pp. 27-28.

should be given primary essential freedoms such as freedom of thought, freedom of the press and freedom of religion by establishing a number of necessary institutions in order to protect themselves from the authority of government.⁵⁷ In his understanding, protection of basic rights of individuals from authority was considered as the first barrier against the abuse of power under any political regimes. But, at the same time, the voting right in France was limited to a small group of wealthy notables at the beginning of 19th century. At that time, even the proponents of liberal thought agreed with setting property qualifications for voting rights and for occupying seats in the parliament because they considered the voting rights not as the rights of all people but as the given trust by a society. While liberals at that time accepted the limited democracy, the way to full-democracy was still closed because of fear of tyranny of people and because of mistrust to the people. However, on the way of social changes (economic activities, education and etc...) and of accelerated equalization among peoples by economic expansion, political democracy (and demand of full-democracy) became a providential fact.⁵⁸ Under such changes, the insistence that the people must have the rights of political participation started to sound more logical and practical appeal on transforming political institutions.

Mill's concern about democracy is similar to the argument which was submitted by the liberals in 18th and 19th century. Mill himself

⁵⁷ Rosenblatt, Helena. 2018. *The Lost History of Liberalism : From Ancient Rome to the Twenty-First Century*. Princeton: Princeton University Press. Accessed July 10, 2022. ProQuest Ebook Central. p.66.

⁵⁸ *Ibid.*, p.95.

acknowledges the importance of diversity and of active use of individuality in society in his book *On liberty*. He mentions the benefits of preparing for the environment where each individual could exercise his individuality as below:

As it is useful that while mankind are imperfect there should be different opinions, so is it that there should be different experiments of living; that free scope should be given to varieties of character, short of injury to others; and that the worth of different modes of life should be proved practically, when any one thinks fit to try them. It is desirable, in short, that in things which do not primarily concern others, individuality should assert itself. Where, not the person's own character, but the traditions or customs of other people are the rule of conduct, there is wanting one of the principal ingredients of human happiness, and quite the chief ingredient of individual and social progress.⁵⁹

And in Mill's understanding, a society which has such environment could have more utility because it maximizes the use of individuality as one of the elements of increasing well-being (happiness). To be honest, the criticism on democratic regime by Mill is not specifically directed to democracy or to dominance by people but more directed to despotism by

⁵⁹ Mill, John Stuart. 2011. *On Liberty*. S.I: Andrews UK. Accessed July 10, 2022. eBook Academic Collection (EBSCO). p.74.

a whole society or to the opinion held by the mass. It is because such despotism by the mass (or collective mediocrity) or the tyranny of opinion do oppress the individuality (it means that those do not allow people to be eccentric).⁶⁰ The main concerns by Mill are despotism and tyranny of opinion. And also, democracy could have the possibility of falling down democracy to despotism. Here, the point is that the maximization of utility (guaranteeing some liberties in order to exercise individuality) is the prior thing to political participation.

When I think about the generality-based understanding, liberal thought and democratic characters are more familiar with each other. Each individual throws himself including rights and duties into the whole body of a society. And when one person gives one vote, the vote is for the interest of all persons. This is just the theoretical and imaginary assumption in order to establish social order, but this still political and economic equality among citizens is even in civil state. Rousseau criticizes democracy because it does not distinguish the executive power (function of government) from the legislative power.⁶¹ This criticism is not rooted by the denial of people's political participation but just by organizational issue of political institutions. In Rawls's theory, democratic values including political participation are considered as one of principles of justice. There, democratic rights are the necessary

⁶⁰ Mill, John Stuart. 2011. *On Liberty*. S.I: Andrews UK. Accessed July 10, 2022. eBook Academic Collection (EBSCO). p.85.

⁶¹ Rousseau, Jean-Jacques. 2019. *On the Social Contract*. Cambridge: Hackett Publishing Company, Incorporated. Accessed July 10, 2022. ProQuest Ebook Central. p.53.

conditions in a liberal society. Pursuit of generality would justify the expansion of political participation.

At the end of this chapter, I would like to explain the image of liberal democracy which could escape from tyranny of people and embrace the political participation. Liberal democracy is consisted of two elements: liberal (protection of individual rights) and democracy (rule by people). And the point of liberal democracy is to prevent democracy or tyranny of people from violating the essential rights of each individual. This point would lead to the priority of individual rights in society and to the ideal of neutrality of government. And such elements are expressed in the idea of constitutional law. Constitution provides the priorities regarding the above both senses. First, it is directed to setting the range of constraining the abusive power of the majority. Second, it is directed to removing particular interest from the governmental body. In order to realize such ideals of constitutions, for example, Madison characterizes the political system which could secure the individual rights and could have elective despotism by the mob with three important features: representative government, an extended government, and the separation and balance of powers.⁶² Representative government is aimed to put the medium body against citizen choices in order to refine the public views. (And also, it would lead to the efficient management of government in a larger scale's state). An extended republic helps to make the will of majority less

⁶² Sandel, Michael J. 1996. *Democracy's discontent: America in search of a public philosophy*. Cambridge: Belknap Press of Harvard University Press. p.36.

proportional in a society. Separation and balance of power are aimed not to intervene with each organizational part of state.

While liberal thought had not been always understood consistent with democratic values, the expansion of voting rights (of political participation) was the inevitable change in society. Emergence of middle class and development of industrial society did increase the demand of voting rights by people. Liberal principles were the rights which are prior to democratic values (Or partially, liberal principles include democratic values). Liberal democracy has developed with such relationship between liberal principles and democratic values. And its systematic figures are also characterized as the result of priority of liberal principles and of fear of abusive power by people.

3-2. Minimum state and welfare state

How to understand political institution for social cooperation among free and separated individuals is the important question in modern political philosophies. Hobbes finds functions of sovereign for the purpose of security for each individual. Hume finds them for the purpose of ensuring property rights and of guaranteeing cooperation for future interests. Mises considers them as the mechanism which provides favorable physiological conditions. And laws are the outcome showing 'as it is' as the result of promoted social cooperation. For those thinkers, the rule of state exists

passively against individuals' exercise of liberty. Mill accepts the paternalistic intervention by state in order to prevent people from harmful behavior on others. But this attitude on the intervention seems not to enlarge the rule of state but more to limit the rule and to make the clear distinction between a realm of state and a personal life of individuals. Through such discussions, the image of minimum state is advocated in the utility-based approach. The arrival of modern mercantile (or industrial) society had very important impact on the promotion of the image of minimum state. For example, the concept of property rights had been established with such changes of society. Or, speaking from another perspective, rational choice (or behavior) had been considered as the best way to increase wealth in a society. The concept of *invisible hand* by Smith contributed to explain the importance of protecting free behavior by individuals. And this kind of modern economic theories provides the solid background of establishing minimum state and the basic positive attitude toward capitalistic market economy which is dominant in a today's liberal society. The proponents of minimum state could support their position from such perspectives: issue of individual liberty and issue of maximization of wealth in a society.

On the other hand, when I think about generality-based approach, it is necessary to bring another view on the explanation. The common character between Rousseau's and Rawls's contract theories is the equalization of economic conditions. As I already explained, Rousseau demands the equity regarding rights, duties and even certain economic

conditions which do not make some people slaved by other citizens. The principles of justice have political rights and also economic equity (including equalization of opened opportunity). Concretely, Rawls's idea of economic equity is not directed to redistribution of wealth but to pre-distribution of wealth and opportunity. Here, when it comes to the point of active intervention with economic field by a state, it provides the new image of bigger state (welfare state) in liberalism. And such economic policies could be explained as the result of overlapping particular interests with general interests.

Both images of minimum state and bigger state could be accepted as the result of natural behavior of self-interested individuals. While self-interested individuals who enjoy their liberty as much as possible could prefer to choose the minimum function of state, the same individuals could prefer to live in a bigger state in order to guarantee their liberty with the concept of justice and to enrich its exercise with mutual cooperation of all other citizens in a society.

Conclusion: Particularity and generality in a liberal society

Social contract theory is the attempt of understanding the very first moment of establishing a society. In the theory of Hobbes, pursuit of

particularity (self-interest) would inevitably lead to the establishment of sovereign. And the restriction of particularity would be accepted only in the case of protecting all particularity. In the theory of Hume, particularity would be limited under *the convention*. Establishment of political institutions for further social cooperation would be agreed as the result of such behaviors of individuals under convention. Here, pure particularity does not exist in his theory. But such particularity is transformed into limited particularity. On the other hand, when I think about the social contract theory of Rousseau, I can find something more than the process of changing into the limited particulars. One person gives all of himself (full particularity including power and rights) to the sovereign in order to establish the civil state. In other words, the sovereign is a kind of representation of one particular self. When everyone gave themselves to the sovereign, everyone would not give anything to the sovereign. It is because one particularity occupies the full public (or general) self and such particularity could not be remained particular. And I explained the full publicness by the word of generality. This is the process of transforming particularity into generality. In the theory of Rawls, I did explain his assumption of the original position in comparison with Rousseau's discussion.

At the part of liberal thought, I tried to think about Mises and Mill in the framework of particularity and generality. Mises emphasizes on the rule of judgement of particularity (self-interested behavior). In his understanding, the pursuit of personal ends is the sole criterion in the

formation of social order and such pursuit would lead to the demand of one certain type of favorable physiological conditions which could promote the welfare of all people in a society. And various social rules such as laws or moral code are reflected on the result ('as it is') of sum of the self-interested judgement. Here, the sum of particularity fosters the main rule of organizing a society. When it comes to Mill, he emphasizes more the rule of natural laws (or moral sense) of each individual. Through entireness of sympathy with all others, people could identify individual interest with general happiness. The rule of sympathy or natural laws is the key of prevailing harm principle and of people's natural attitude of seeking general happiness in Mill's utilitarianism. Mill's point is similar to Hume's idea of sympathy. The sum of limited particularity (with whom a paternalistic state or natural laws could intervene) establish the main rule of a society. As the counterexample of utilitarian approach, I mention Rawls too. Rawls places more emphasis on the concept of rightness. As I mentioned in the above paragraph, the principles of justice would be set as the result of rational choice of one particularity. And these principles (as the result of reflection of generality) are prior to any other values.

As I mentioned in the introduction, one aspect of development of liberalism is reflected in the image of human beings 'take men as they are'. The image of radically autonomous individuals in the state of nature exists as the basic assumption of modern liberal thought. The spectrum of assumptions of how much autonomous individuals are determines the

existing way of social order. If the spectrum is limited within only self-interested (and selfish or egoistic) motivation, the way of social order would become like the theory of Hobbes. There, the rule of sovereign should be limited only to the security in society. The image of watchdog state could be justified in this way. Or when I think about liberal thought, the representative image of human beings takes the form of limited particularity. Order of natural laws and of moral sense restricts the behavior of individuals with internal moral code. It could provide 'ought to' behavior to individuals. Self-interested behaviors are no longer equal to free unlimited behaviors. The concept of utilitarianism of Mill is the advanced idea of limited particularity. Ability of sympathy and higher organic faculties to judge the quality of pursued happiness are the given conditions for individuals as progressive beings. Such conditions automatically generate the rules of pursuit of happiness which determine the behavior of individuals. In liberal thought, especially when I emphasize the liberal tradition since the beginning of modern era, such image of limited particularity is essentially important. Under such spectrum of autonomy of each individual, each individual could make use of their abilities in the form of not harming others and of bringing benefits to society. Here, the rule of sovereign or government is limited not to intervene with the personal life of individuals unnecessarily or to encourage people to behave in the more desirable direction (paternalistic intervention) meanwhile sovereign still needs to be careful of not intervening too much. The image of minimum state could be praised in this approach of liberal tradition. Or when I make one man represented as

the whole society, the spectrum of autonomy directly reflects the way of sovereign itself. There, autonomous (or, in other words, rational) judgement of one person would show the ideal form of society or government.

At last, I would like to close the conclusion by mentioning the concept of particularity and generality. The remarkable character of modern political philosophy is particularity. And liberalism is also based on such character. A liberal society is the collection of particularity (or of limited particularity). But, at the same time, it would be the reflection of generality. The point of this thesis is to show the possible spectrum of liberal thought and of liberal policies. And when we think about the relation between particularity and generality, the various forms of social order in liberalism could be understood more concretely.

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